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Shelby Cnty Judge of Probate, AL  
08/29/2006 11:17:51AM FILED/CERT

June 25<sup>th</sup>, 2006



Shelby Land Partners, LLC  
C/O Mr. Jim Jackson  
Four Riverchase Ridge  
Birmingham, Alabama 35244

Re: Old Easements

Dear Sir,

I, the undersigned, hereby certify that the Alabama Power Company does not claim the right to construct additional lines for the transmission of electricity upon, over, under or across the lands described herein below under the authority granted in the following grants of easements:

That certain instrument from Mr. Fletcher Swain  
to Alabama Power Company dated July 13<sup>th</sup> 1954 and  
recorded in Deed Book 169 at Page 335  
in the office of the Judge of Probate of Shelby County, Alabama.

That certain instrument from Mr. Robert Harrison and Annie Mae Harrison  
to Alabama Power Company dated July 13<sup>th</sup>, 1954 and  
Recorded in Deed Book 169 at Page 341  
in the office of the Judge of Probate of Shelby County, Alabama.

That certain instrument from James Ross and wife Leatha Ross  
to Alabama Power Company dated June 6<sup>th</sup> 1947 and  
recorded in Deed Book 130 at Page 94  
in the office of the Judge of Probate of Shelby County, Alabama.

That certain instrument from Myrtle Bryant  
to Alabama Power Company dated June 4<sup>th</sup>, 1947 and  
recorded in Deed Book 130 at Page 86  
in the office of the Judge of Probate of Shelby County, Alabama.

That certain instrument from Mr. Fletcher Swain  
to the Alabama Power Company dated December 3<sup>rd</sup>, 1957 and  
recorded in Deed Book 207 at Page 677  
in the office of the Judge of Probate of Shelby County, Alabama.

That certain instrument from David Harris and Mattie Harris  
to the Alabama Power Company dated September 27<sup>th</sup>, 1961 and  
recorded in Deed Book 218 at Page 651  
in the office of the Judge of Probate of Shelby County, Alabama.

That certain instrument from Clifford Moore and Lina Moore  
to the Alabama Power Company dated September 27<sup>th</sup>, 1961 and  
recorded in Deed Book 218 at Page 656  
in the office of the Judge of Probate of Shelby County, Alabama.

That certain instrument from the Alabama Mineral Land Co.  
to the Alabama Power Company dated December 8<sup>th</sup>, 1961 and  
recorded in Deed Book 220 at Page 39  
in the office of the Judge of Probate of Shelby County, Alabama.

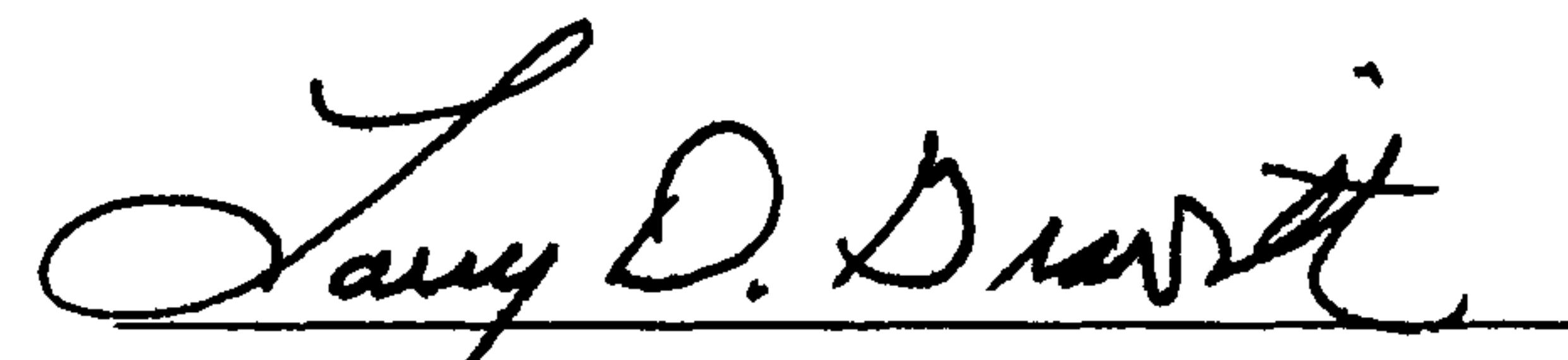
That certain instrument from James Merritt and Francis Merritt  
to the Alabama Power Company dated June 4<sup>th</sup>, 1947 and  
recorded in Deed Book 130 at Page 89  
in the office of the Judge of Probate of Shelby County, Alabama.

That certain instrument from Alabama Mineral Land Co.  
to the Alabama Power Company dated February 3<sup>rd</sup>, 1949 and  
recorded in Deed Book 138 at Page 57  
in the office of the Judge of Probate of Shelby County, Alabama.

The purpose for which such right of way permits were acquired was for distribution lines  
that were constructed but subsequently removed from the property described below in  
Exhibit "A" and "B" attached hereto.

Signed the 28<sup>th</sup> day of June, 2006

Witness:



Sr. Real Estate Specialist  
Corporate Real Estate  
Alabama Power Company



Exhibit "A"

A parcel of land situated in the South  $\frac{1}{2}$  of the Southeast  $\frac{1}{4}$  of Section 1, Township 21 South, Range 3 West, Shelby County, Alabama being more particularly described as follows:

Commence at the Southeast corner of Section 1, Township 21 South, Range 3 West and run in a Westerly direction along the South line of said Section 1 a distance of 1369.37 feet to a point on the Westerly right-of-way line of a proposed road, said point also being the POINT OF BEGINNING of the parcel described herein; thence continuing along the last described course a distance of 595.99 feet to a point on the Easterly right-of-way line of Colonial Promenade Parkway as shown on the Final Plat of Colonial Promenade Alabaster Survey as recorded in Map Book 35, Page 102 A & B in the Office of the Judge of Probate, Shelby County, Alabama; thence 84 degrees 15 minutes 29 seconds to the right in a Northerly direction along said Easterly right-of-way line of Colonial Promenade Parkway a distance of 428.78 feet to the P.C. (Point of Curve) of a curve to the right having a radius of 25.00 feet and a central angle of 86 degrees 31 minutes 11 seconds; thence along the arc of said curve in a Northerly, Northeasterly and Easterly direction (leaving said Easterly right-of-way line of Colonial Promenade Parkway) a distance of 37.75 feet to the P.T. (Point of Tangent) of said curve, said point lying on the Southerly right-of-way line of Jimmy Gould Drive as shown on the Final Plat of Colonial Promenade Alabaster Survey; thence tangent to said curve in an Easterly direction and along said Southerly right-of-way line of Jimmy Gould Drive a distance of 491.10 feet to a point, said point being the Southeasterly corner of said Jimmy Gould Drive as shown on the Final Plat of Colonial Promenade Alabaster Survey; thence continuing along the last described course (leaving said Jimmy Gould Drive) and along the extension of the Southerly right-of-way line of Jimmy Gould Drive a distance of 1.39 feet to the P.C. (Point of Curve) of a curve to the right having a radius of 175.00 feet and a central angle of 17 degrees 14 minutes 19 seconds; thence along the arc of said curve in an Easterly direction and along said extension of the Southerly right-of-way line of Jimmy Gould Drive a distance of 52.65 feet to the P.T. (Point of Tangent) of said curve; thence tangent to said curve in an Easterly direction and along said extension of the Southerly right-of-way line of Jimmy Gould Drive a distance of 93.26 feet to the P.C. (Point of Curve) of a curve to the right having a radius of 25.00 feet and a central angle of 86 degrees 33 minutes 37 seconds; thence along the arc of said curve in an Easterly, Southeasterly and Southerly direction a distance of 37.77 feet to the P.R.C. (Point of Reverse Curve) of a curve to the left having a radius of 875.00 feet and a central angle of 8 degrees 57 minutes 27 seconds, said point lying on the Westerly right-of-way line of a proposed through road; thence along the arc of said curve in a Southerly direction (leaving said extension of Jimmy Gould Drive) and along said Westerly right-of-way line of a proposed through road a distance of 136.80 feet to the P.T. (Point of Tangent) of said curve; thence tangent to said curve in a Southerly direction along said Westerly right-of-way line of a proposed through road a distance of 140.49 feet to the P.C. (Point of Curve) of a curve to the right having a radius of 400.00 feet and a central angle of 32 degrees 07 minutes 48 seconds; thence along the arc of said curve in a Southerly and Southwesterly direction and along said Westerly right-of-way line of a proposed through road a distance of 224.31 feet to the POINT OF BEGINNING.



Exhibit "B"

A parcel of land situated in the Southeast  $\frac{1}{4}$  of Section 1, Township 21 South, Range 3 West, Shelby County, Alabama being more particularly described as follows:

Commence at the Southeast corner of Section 1, Township 21 South, Range 3 West and run in a Westerly direction along the South line of said Section 1 a distance of 1369.37 feet to a point on the Westerly right of way line of a proposed road, said point lying on a curve to the left having a radius of 400.00 feet and a central angle of 32 degrees, 07 minutes, 48 seconds; thence in a Northeasterly and Northerly direction along the arc of said curve and along said Westerly right of way line of a proposed through road a distance of 224.31 feet to the P.T. (Point of Tangent) of said curve; thence tangent to said curve in a Northerly direction along said Westerly right of way line of a proposed through road a distance of 140.49 to the P.C. (Point of Curve) of a curve to the right having a radius of 875.00 feet and a central angle of 15 degrees, 57 minutes, 53 seconds; thence in a Northerly and Northeasterly direction along the arc of said curve and along said Westerly right of way line of a proposed through road a distance of 243.81 feet to a point on a curve to the right having a radius of 25.00 feet and a central angle of 86 degrees, 25 minutes, 57 seconds, said point being the point of beginning of the parcel herein described; thence 180 degrees, 00 minute, 00 second to the right (angle measured from tangent) in a Southwesterly and Westerly direction (leaving said Westerly right of way line of a proposed through road) along the arc of said curve a distance of 37.71 feet to the P.T. (Point of Tangent) of said curve, said point lying on the Northerly right of way line of the extension of Jimmy Gould Drive; thence tangent to said curve in a Westerly direction along said Northerly right of way line of the extension of Jimmy Gould Drive a distance of 93.38 feet to the P.C. of a curve to the left having a radius of 235.00 feet and a central angle of 17 degrees, 14 minutes, 19 seconds; thence in a Westerly direction along the arc of said curve and along said Northerly right of way line of the extension of Jimmy Gould Drive a distance of 70.70 feet to the P.T. (Point of Tangent) of said curve; thence tangent to said curve in a Westerly direction along said Northerly right of way line of the extension of Jimmy Gould Drive a distance of 5.29 feet to a point, said point being the Northeasterly corner of Jimmy Gould Drive and the Southeasterly corner of Lot 3 as shown on the Final Plat of Colonial Promenade Alabaster Survey as recorded in Map Book 35, Page 102 A & B in the Office of the Judge of Probate of Shelby County, Alabama; thence 86 degrees, 17 minutes, 09 seconds to the right in a Northerly direction (leaving said right of way line of Jimmy Gould Drive) along the Easterly line of Lot 3 of said Colonial Promenade Alabaster Survey a distance of 518.30 feet to the P.C. (Point of Curve) of a curve to the right having a radius of 55.00 feet and a central angle of 48 degrees, 14 minutes, 23 seconds; thence in a Northerly and Northeasterly direction along the arc of said curve and along said Easterly line of Lot 3 a distance of 46.31 feet to the P.T. (Point of Tangent) of said curve; thence tangent to said curve in a Northeasterly direction along said Easterly line of Lot 3 a distance of 20.06 feet to the P.C. (Point of Curve) of a curve to the left having a radius of 65.00 feet and a central angle of 43 degrees, 14 minutes, 23 seconds; thence in a Northeasterly and Northerly direction along the arc of said curve and along said Easterly line of Lot 3 a distance of 49.05 feet to the P.T. (Point of Tangent) of said curve; thence tangent to said curve in a Northerly direction along said Easterly line of Lot 3 a distance of 320.64 feet to the P.C. (Point of Curve) of a curve to the right having a radius of 60.00 feet and a central angle of 50 degrees, 38 minutes, 01 seconds; thence in a Northerly and Northeasterly direction along the arc of said curve and along said Easterly line of Lot 3 a distance of 53.02 to the P.R.C. (Point of Reverse Curve) of a curve to the left having a radius of 70.00 feet and a central angle of 96 degrees, 14 minutes, 51 seconds; thence in a Northeasterly, Northerly and Northwesterly direction along the arc of said curve and along said Easterly line of Lot 3 a distance of 117.59 feet to the P.R.C. (Point of Reverse Curve) of a curve to the right having a radius of 60.00 feet and a central angle of 70 degrees, 36 minutes, 50 seconds; thence in a Northwesterly and Northerly direction along the arc of said curve and along said Easterly line of Lot 3 a distance of 73.95 feet to the P.T. (Point of Tangent) of said curve; thence tangent to said curve in a Northerly direction along said Easterly line of Lot 3 a distance of 111.29 to a point, said point being the Northeasterly corner of Lot 3 and lying on the Southwesterly right of way line of Progress Boulevard of said Colonial Promenade Alabaster Survey; thence 95 degrees, 00 minutes to the right in a Southeasterly direction (leaving said Easterly line of Lot 3) along said Southwesterly right of way line of Progress Boulevard a distance of 196.66 feet to the Southeasterly corner of said Progress Boulevard; thence continuing



along the last described course and along the extension of Progress Boulevard a distance of 754.30 feet to the P.C. (Point of Curve) of a curve to the right having a radius of 25.00 feet and a central angle of 95 degrees, 46 minutes, 22 seconds; thence in a Southeasterly, Southerly and Southwesterly direction along the arc of said curve a distance of 41.79 feet to the P.C.C. (Point of Compound Curve) of a curve to the right having a radius of 900.00 feet and a central angle of 16 degrees, 06 minutes, 50 seconds, said point lying on the Northwesterly right of way line of a proposed through road; thence in a Southwesterly direction (leaving said extension of Progress Boulevard) along the arc of said curve and along said Northwesterly right of way line of a proposed through road a distance of 253.12 feet to the P.T. (Point of Tangent) of said curve; thence tangent to said curve in a Southwesterly direction along said Northwesterly right of way line of a proposed through road a distance of 303.37 to the P.C. (Point of Curve) of a curve to the left having a radius of 875.00 feet and a central angle of 32 degrees, 21 minutes, 59 seconds; thence in a Southwesterly and Southerly direction along the arc of said curve and along said Northwesterly right of way line of a proposed through road a distance of 494.93 feet to the point of beginning.

Situated in Shelby County, Alabama.