

DEED OF EASEMENT

VALUE = \$4500.00

The Department of Veterans Affairs, acting for and in behalf of the United States of America, hereinafter referred to as the Government, under and by virtue of the authority contained in 40 United States Code 1314 (76 Stat. 1129), having determined that it will not be adverse to the interests of the United States, does hereby grant and convey, for and in consideration of one dollar (\$1.00), and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, without covenant or warranty of any kind and subject to the conditions hereinafter stated, unto Alabama Power Company, Two Industrial Park Drive, Pelham, Alabama 35124, hereinafter referred to as the Grantee, its successors and assigns, an easement and right of way for the purpose of an underground and overhead electric distribution system thereon, hereinafter referred to as "said facilities," to be on, over, under, across or through a portion of the Alabama VA National Cemetery, which the undersigned owns in the County of Shelby, State of Alabama, as depicted and descried on Exhibit "A," and described on Exhibit "B," attached hereto and made a part hereof.

The Easement is granted subject to the following conditions and provisions:

1. That the Government reserves unto itself rights for all purposes across, over, or under the easement area herein described; such rights, however, to be exercised in a manner which will not create undue interference with the use and enjoyment by the Grantee of said easement; provided, that any construction by the Government in connection with the rights so reserved shall be at the expense of the Government.
2. That said facilities shall be installed, operated, maintained, reconstructed, repaired, and replaced by the Grantee within the easement area without cost to the Government, under the general supervision and subject to the approval of the Government official having immediate jurisdiction over the property. The Grantee shall replace, repair, restore, or relocate any property of the Government affected or damaged directly or indirectly by the construction, reconstruction, installation, operation, maintenance, and replacement of said facilities all to the satisfaction of the Government official having immediate jurisdiction over the property.
3. No mining operations shall be conducted on the premises described above. No minerals shall be removed therefrom except such as are reasonably necessary incident to the utilization of the described premises for the purpose for which the easement is granted.
4. That the Grantee will indemnify and save the Government harmless from any liability or responsibility of any nature whatsoever arising directly or indirectly from the privileges herein granted.

5. That all right, title, interest, and estate hereby granted shall cease and terminate effective as of the date of written notice from the Government to the Grantee, its successors or assigns, that there has been, (a) a failure to comply with the terms and conditions of the grant, (b) a nonuse of the easement for a consecutive two-year period for the purpose for which granted, or (c) an abandonment of the easement.

6. That upon termination or forfeiture of the grant, the Grantee shall within a reasonable time thereafter, if so requested by the Government, remove from the land hereinafter described all structures, installations, and appurtenances thereto belonging to Grantee and restore the premises to the satisfaction of the Government.

7. That no advertisements, commercial, political or otherwise, will be placed or allowed on the property.

8. The Grantee does, by the acceptance of this instrument, covenant and agree for itself, its assigns, and its successors in interest in property herein conveyed, or any part thereof:

(a) That it is now complying and will continue to comply with Title VI of the Civil Rights Act of 1964 and all the requirements imposed by or pursuant to the regulations of the Department of Veterans Affairs issued pursuant to that Title, and that the easement and its appurtenant areas and facilities, whether or not on the property herein involved, will be operated in full compliance with Title VI of the Civil Rights Act of 1964 and all requirements imposed by or pursuant to the regulations issued thereunder by the Department of Veterans Affairs and in effect on the date of this instrument, all to the end that no person in the United States shall on the ground of race, color, religion or national origin be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program or activities provided thereon; and,

(b) That the United States shall have the right to judicial enforcement of these covenants not only as to the Grantee, its successors and assigns, but also to lessees and sub-lessees and licensees doing business or extending services under contractual or other arrangements on the interest in property herein conveyed.

20081203000456090 3/8 \$32.50
Shelby Cnty Judge of Probate, AL
12/03/2008 04:14:58PM FILED/CERT

IN WITNESS WHEREOF the Department of Veterans Affairs has
caused this Deed of Easement to be executed in its name and on its behalf this 19th
Day of November, 2008.

UNITED STATES OF AMERICA,
Acting by and through the Secretary,
Department of Veterans Affairs

By Dean A. Miller
Dean A. Miller
Acting Chief, Real Property Service

CITY OF WASHINGTON]
]]
DISTRICT OF COLUMBIA]

ON THIS 19th day of November, 2008, before me a Notary
Public in and for said District of Columbia, personally appeared to me, Dean A. Miller,
well known and known by me to be Acting Chief, Real Property Service, whose name is
subscribed to the within instrument and acknowledged that he executed the same as a
voluntary act and deed of the United States of America, within the scope of his lawful
authority.

[SEAL]

Kathleen L. Smith
Notary Public
District of Columbia

My commission expires:

July 31, 2010

20081203000456090 4/8 \$32.50
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C E R T I F I C A T E

I, YOLANDA D. ROBINSON, certify that I am the REAL ESTATE SPECIALIST
of ALABAMA POWER COMPANY named as Grantee herein; that
I have accepted this easement on behalf of the Grantee, and that the said easement
was duly signed for in behalf of ALABAMA POWER COMPANY by authority of
its governing body and within the scope of its powers.

Signature:

Yolanda D. Robinson

Printed Name:

YOLANDA D. ROBINSON

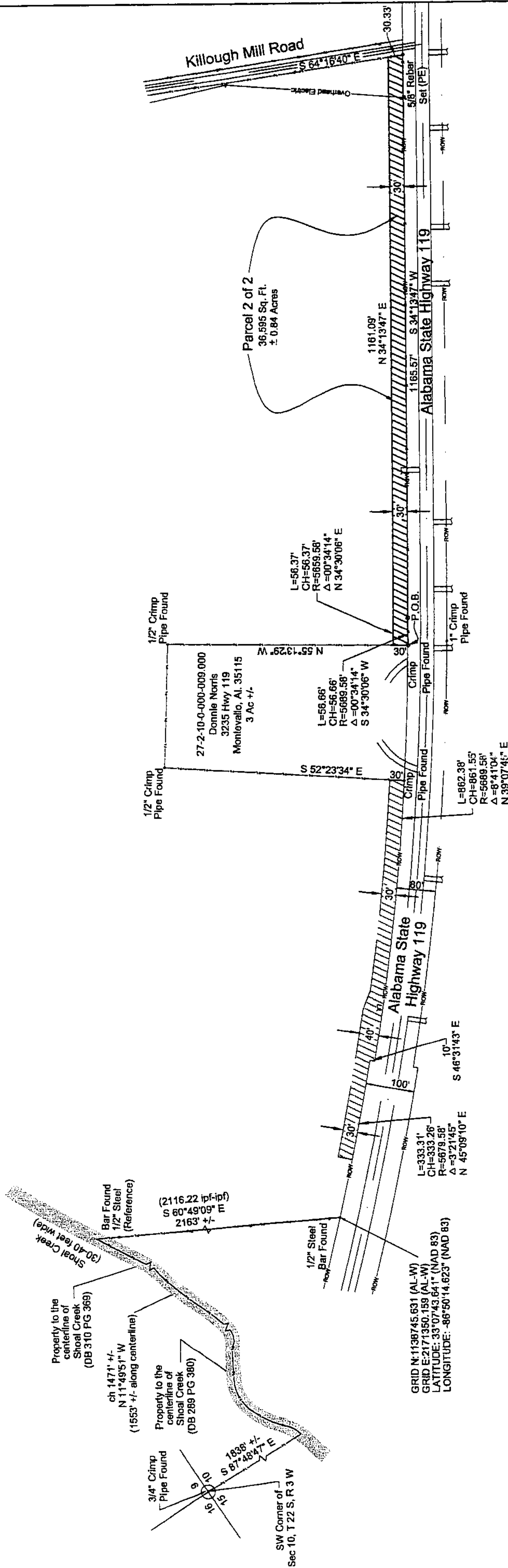
William E. Jones

NOTARY PUBLIC

8/18/2010

MY COMMISSION EXPIRES:

EXHIBIT A, PARCEL 2 OF 2



UTILITY EASEMENT

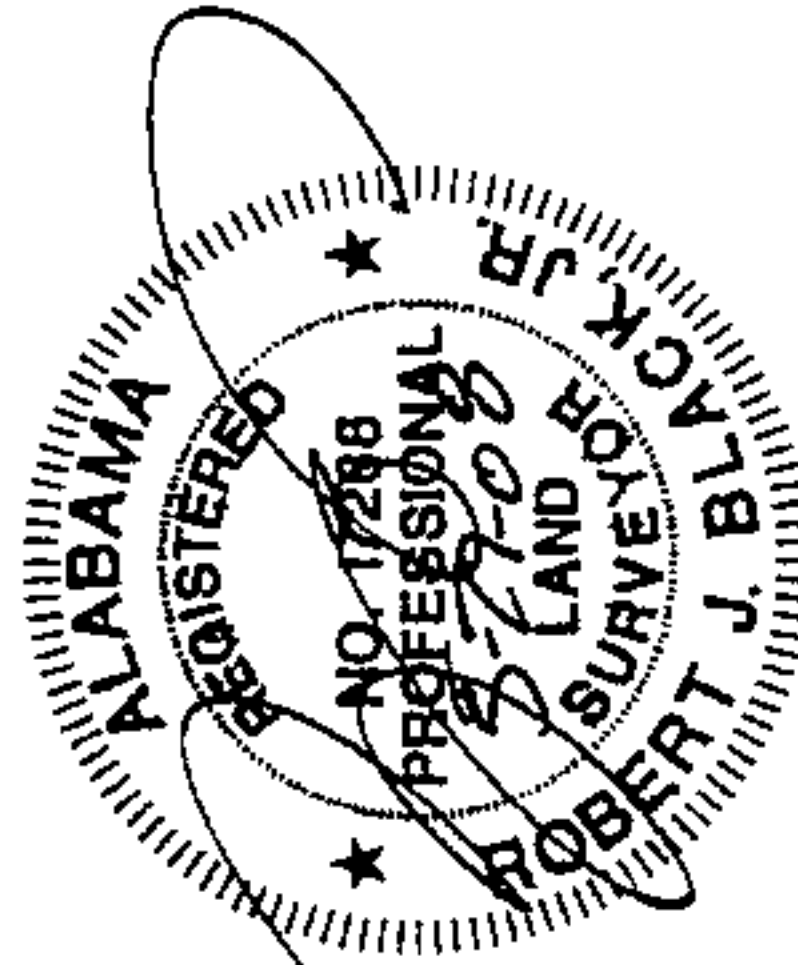
Parcel 2 of 2

Slate of Alabama
Shelby County

Commence at the Southwest corner of Section 10, Township 22 South, Range 3 West, Shelby County, Alabama and run S 87° 48' 47" E along the South line of said Section for a distance of 1838.00 feet, more or less, to the centerline of Shoal Creek; thence leaving said South Section line run along the centerline of Shoal Creek, as it meanders, a distance of 1553.00 feet, more or less, a chord of 1471.00 feet, more or less, bearing N 11° 49' 51" W; thence leaving said centerline of Shoal Creek, run S 60° 49' 09" E for a distance of 2163.00 feet, more or less, to the Northwest Right of Way line of Alabama Highway 119; said point being on a curve to the left having a central angle of 3° 21' 45", a radius of 5679.58 feet and a chord that bears N 45° 09' 10" E, a chord distance of 333.26 feet; thence along the arc of said curve and being on a curve to the left having a central angle of 8° 41' 04", a radius of 5689.58 feet and a chord that bears N 39° 07' 41" E, a chord distance of 861.55 feet; thence along the arc of said curve and said Right of Way line a distance of 862.38 feet to the POINT OF BEGINNING; thence leaving said Right of Way run N 55° 13' 29" W for a distance of 30.00 feet to a point on a curve to the left having a central angle of 00° 34' 14" and a radius of 5659.58 feet and a chord that bears N 34° 30' 06" E, a chord distance of 56.37 feet; thence along the arc of said curve 56.37 feet; thence N 34° 13' 47" E for a distance of 1161.09 feet to the south Right of Way line of Killough Mill Road (Quinn Lane); thence run S 64° 16' 40" E along said Right of Way a distance of 30.33 feet to the aforementioned northwest Right of Way line of Alabama Highway 119; thence run S 34° 13' 47" W along said Right of Way a distance of 1165.57 feet to a point on a curve to the right having a central angle of 00° 34' 14", a radius of 5689.58 feet and a chord that bears S 34° 30' 06" W, a chord distance of 56.66 feet; thence along the arc of said curve and said Right of Way line a distance of 56.66 feet to the POINT OF BEGINNING. Containing 36,595 square feet or 0.84 acres, more or less.



Scale: 1" = 200'

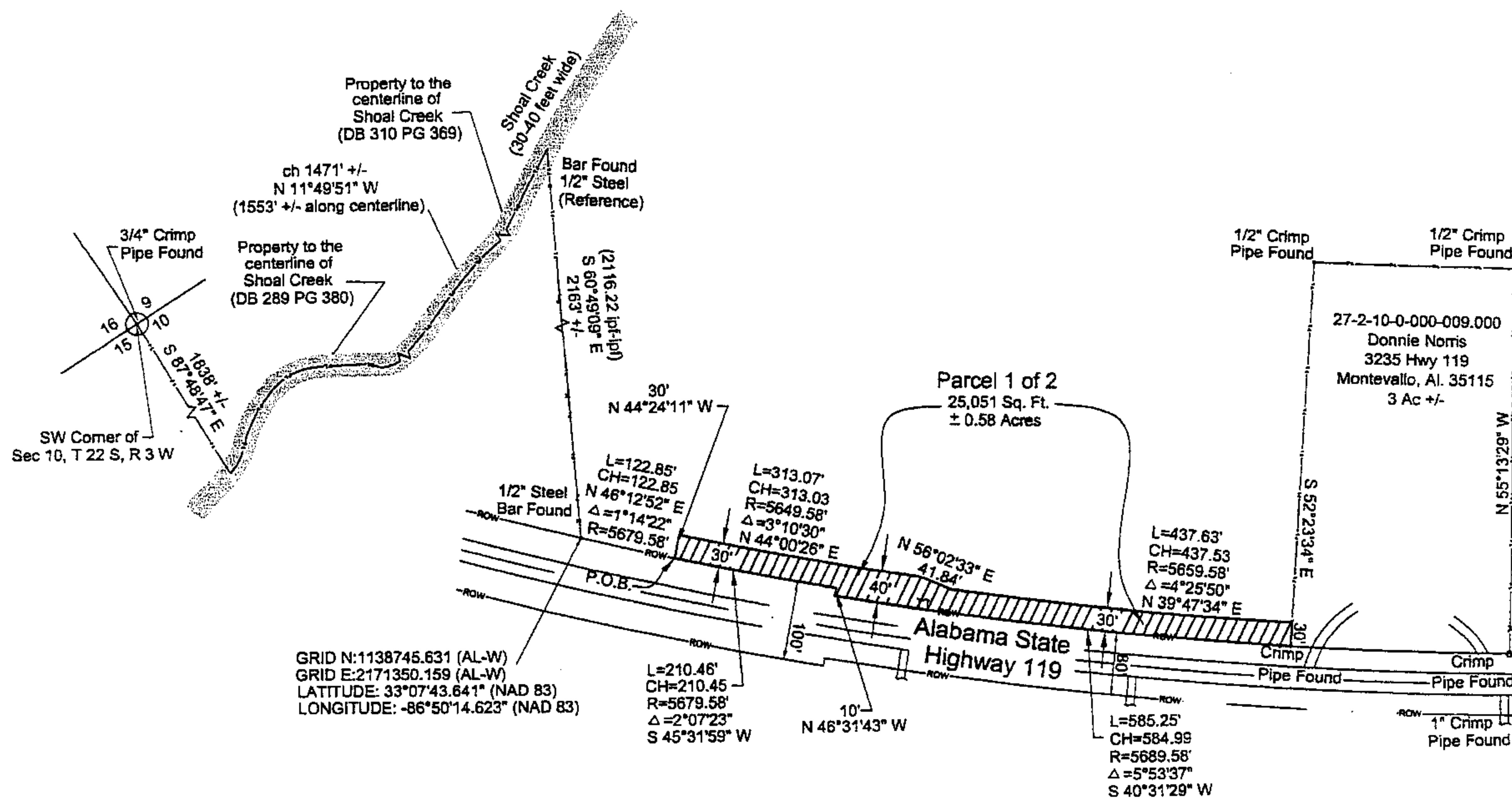


MAPTECH, INC.
SURVEYING - MAPPING
GPS SERVICES
DIE CHASE CORPORATE DRIVE - SUITE 200 BIRMINGHAM, ALABAMA 35244 (205) 997-8894

Date: 5/27/08

Robert J. Black, Jr.
Registered Professional Land Surveyor
State of Alabama License Number 17268

EXHIBIT A, PARCEL 1 OF 2



Scale: 1" = 200'

20081203000456090 6/8 \$32.50
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UTILITY EASEMENT

Parcel 1 of 2

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Shelby County

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Robert J. Black, Jr.
Registered Professional Land Surveyor
State of Alabama License Number 17268

Date: 5/27/08



MAPTECH, INC.

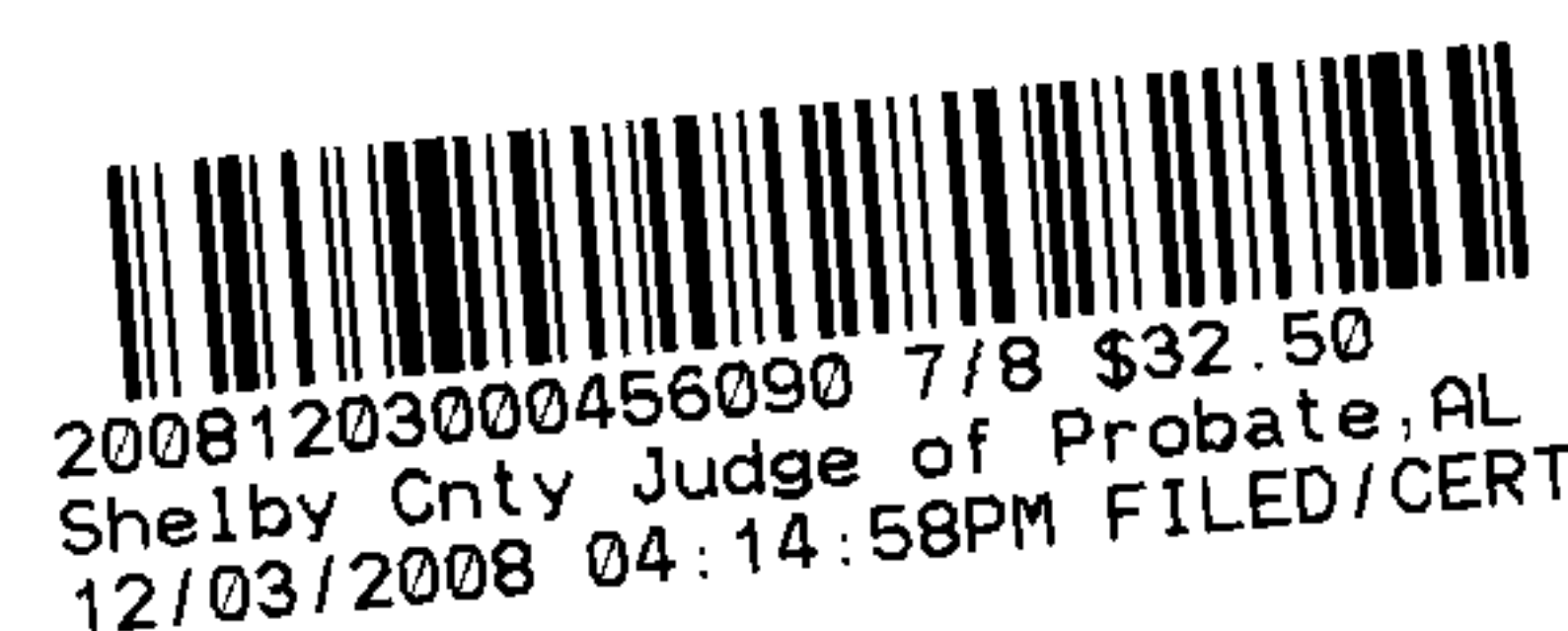
SURVEYING • MAPPING
GPS SERVICES

ONE CHASE CORPORATE DRIVE • SUITE 200 • BIRMINGHAM, ALABAMA 35244 (205) 397-0594

EXHIBIT B

Utility Easement


Parcel 1 of 2



State of Alabama
Shelby County

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Utility Easement
Parcel 2 of 2


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