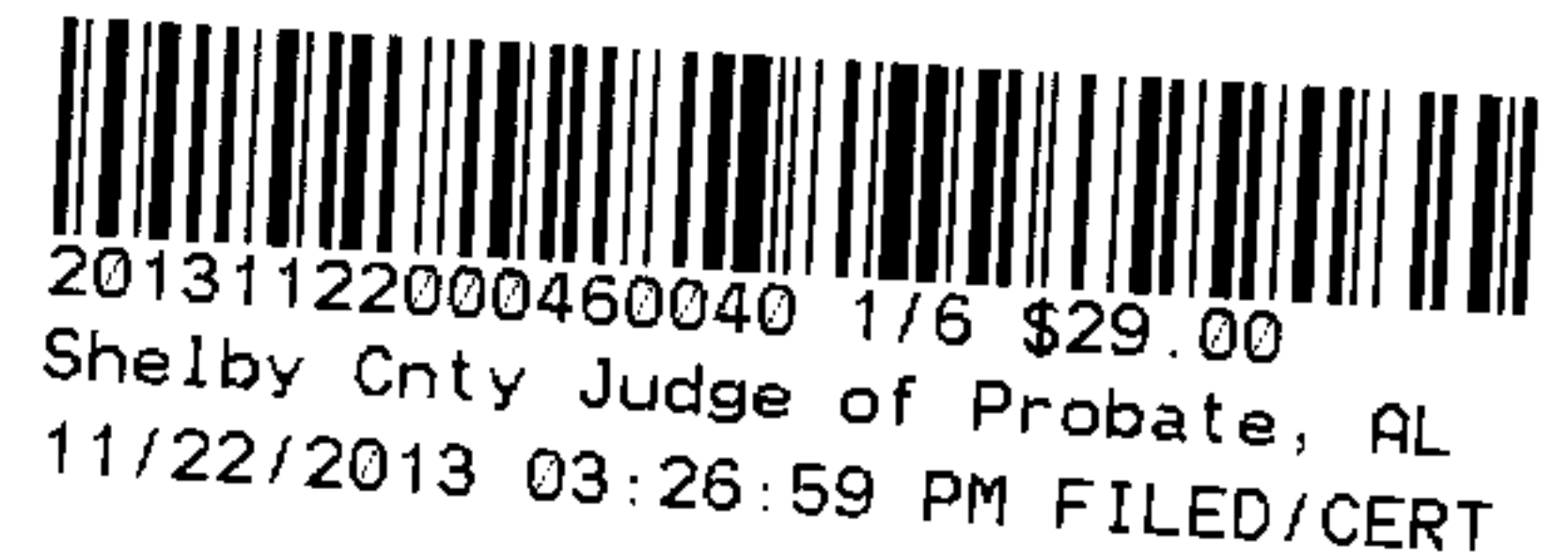


Prepared By: Foster Key, Atty  
P.O. Box 360345  
B'ham, AL 35256



**AFFIDAVIT**

COMES NOW the Affiant, Angie Noel as Land Supervisor,  
of Alabama Power Company and provides this their Affidavit regarding real property located  
in Shelby County, Alabama and accordingly would state as follows:

1. My name is Angie Noel and I am Land Supervisor  
of Alabama Power Company and I am familiar with property owned by Alabama Power  
Company in Shelby County, Alabama.

2. This Affidavit is given to clear title to a certain parcel of property as described  
in the attached Exhibits A and B.

3. Alabama Power Company owns and operates a certain lake located in Shelby  
County, Alabama known as Lay Lake. As part of the ownership of Lay Lake, Alabama Power  
Company also owns certain rights and access to Waxahatchee Creek.

4. That as a part of their ownership and maintenance of Lay Lake, Alabama Power  
Company owns all the property up to a contour elevation of 397 feet on Lay Lake.

5. It has come to our attention that there is certain property that has been  
assessed by Shelby County, Alabama in the name of Alabama Power Company but which  
Alabama Power Company has no claim or ownership stake in. Said property has Parcel ID  
number 33 8 34 0 002 037.000 in the property tax assessor's and tax collector's office of  
Shelby County, Alabama. Said property description is attached hereto as Exhibit B. That  
property has also been described as follows:

BEG ON N LN SW 1/4 190 W OF SE COR W 1/2 NW 1/4 W TO N LN E WAXAHATCHEE  
CK SELY & NELY ALG WAXAHATCHEE CK TO POB

<sup>To my knowledge,</sup>  
6. ^ Alabama Power Company does not own the property that is described herein  
and that is assessed under Tax ID number 33 8 34 0 002 037.000, Exhibit B, and has never

owned said property.

7. Alabama Power Company waives any and all rights, title or interest that they may have in said property and makes no claims whatsoever to said property.

Further Affiant Sayeth Not

ALABAMA POWER COMPANY

By: Angie Noel  
Its: Land Supervisor

STATE OF ALABAMA  
COUNTY OF Jefferson

I, the undersigned, a notary public in and for said county, in said state, hereby certify that Angie Noel, whose name as Land Supervisor of ALABAMA POWER COMPANY, a corporation, is signed to the foregoing conveyance and who is known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance (s)he, as such officer and with full authority, executed for and as the act of said corporation.


Given under my hand and official seal this 7<sup>th</sup> day of November, 2013.

Gala R. Wheat  
NOTARY PUBLIC  
My Commission Expires: 3/9/2015



20131122000460040 2/6 \$29.00  
Shelby Cnty Judge of Probate, AL  
11/22/2013 03:26:59 PM FILED/CERT

# EXHIBIT A

  
20131122000460040 3/6 \$29.00  
Shelby Cnty Judge of Probate, AL  
11/22/2013 03:26:59 PM FILED/CERT



This instrument prepared by:  
Rob Rimer  
The Westervelt Company, Inc.  
P. O. Box 48999  
Tuscaloosa, AL 35404-8999

~~Grantee's Address:~~  
~~The Westervelt Company, Inc.~~  
~~P. O. Box 48999~~  
~~Tuscaloosa, AL 35404-8999~~

Grantee's address  
Teresa Kirkwood  
1205 Grace St.  
Birmingham, AL 35209

STATE OF ALABAMA )  
SHELBY COUNTY )

QUIT CLAIM DEED

KNOW ALL MEN BY THESE PRESENTS: That **THE WESTERVELT COMPANY, INC.** (the "Grantor") for and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, cash in hand paid by **THERON OSCAR COX, JR. and TERESA COX KIRKWOOD** (the "Grantees"), the receipt of which is hereby acknowledged, does hereby grant, bargain, sell, convey and forever quit claim a seven-twelfths interest (7/12) unto **THERON OSCAR COX, JR.** and a five-twelfths interest (5/12) unto **TERESA COX KIRKWOOD** all of the Grantor's right, title and interest in and to the following described property in Shelby County, Alabama, to-wit:

That part of the North 1/2 of the Southwest 1/4 lying north of Waxahatchee Creek at an elevation above 397 feet located in the Section 34, all in Township 24 North, Range 15 East, in Shelby County, Alabama.

TO HAVE AND TO HOLD, the above granted premises unto the Grantees, their heirs and assigns forever.

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals on this the 7<sup>th</sup> day of October, 2013.

GRANTOR:  
**THE WESTERVELT COMPANY, INC.**

BY: James J. King, Jr.  
James J. King, Jr.  
Vice President


STATE OF ALABAMA )  
TUSCALOOSA COUNTY )

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that James J. King, Jr. whose name as Vice President of The Westervelt Company, Inc. a Delaware corporation, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Witness my hand and official seal, this the 7<sup>th</sup> day of October, 2013.

Jessie Blalock  
Notary Public

My Commission Expires: MY COMMISSION EXPIRES FEB. 16, 2014  
(SEAL)

  
20131122000460040 4/6 \$29.00  
Shelby Cnty Judge of Probate, AL  
11/22/2013 03:26:59 PM FILED/CERT

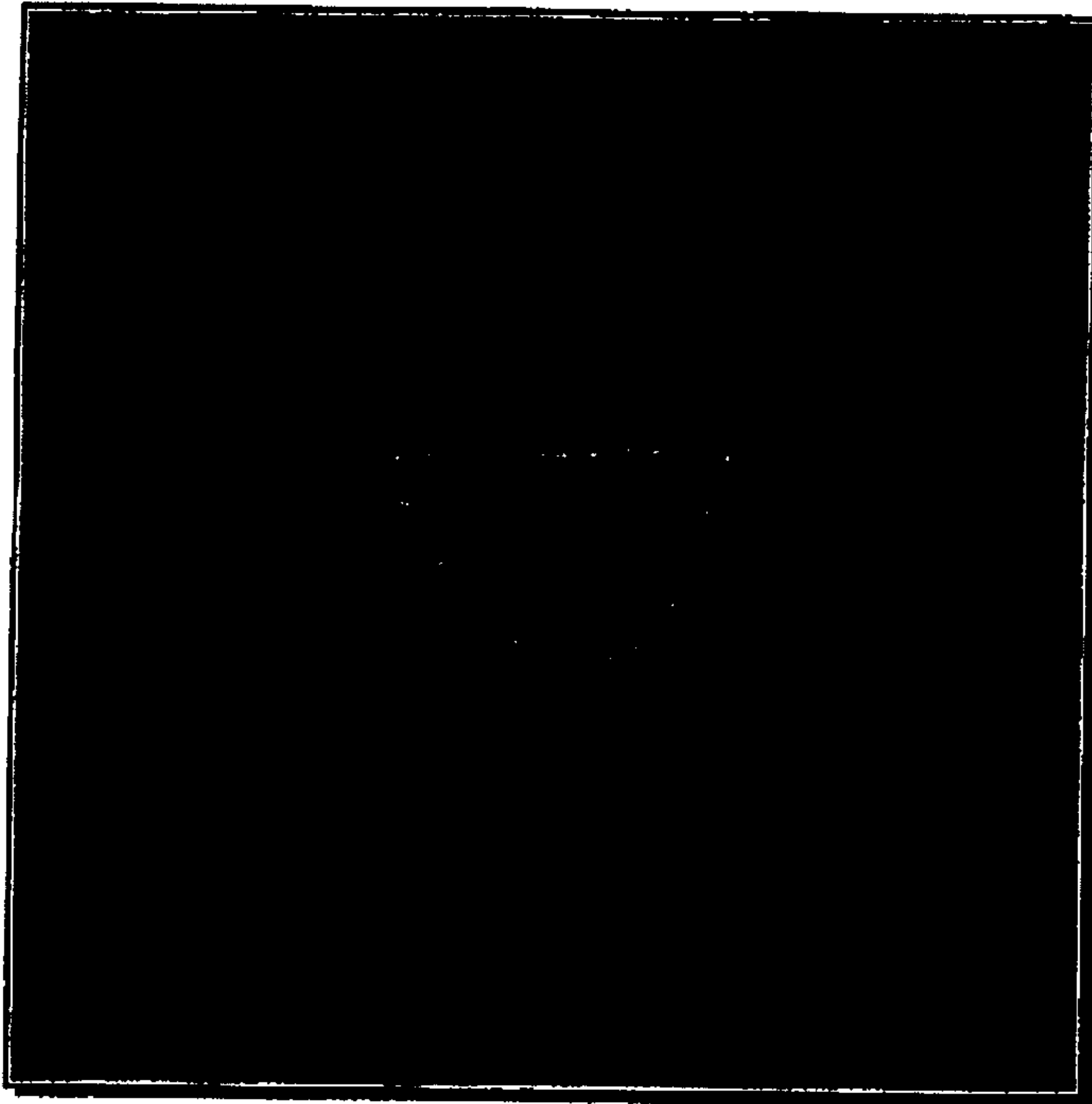
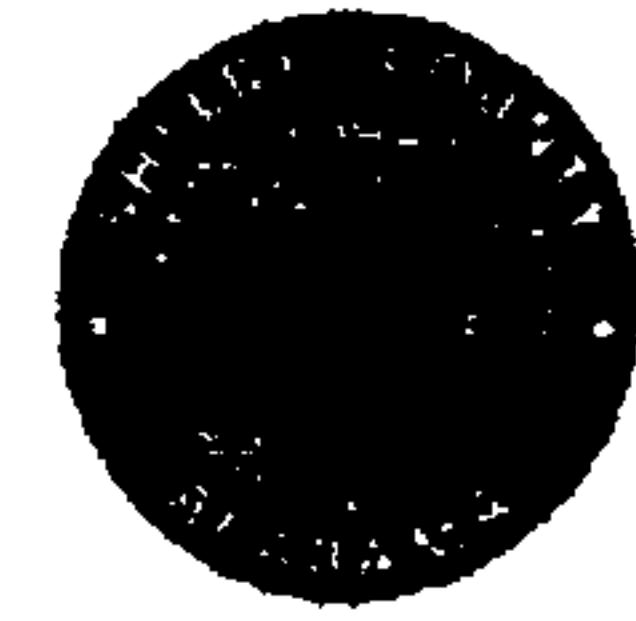
## EXHIBIT B



20131122000460040 5/6 \$29.00  
Shelby Cnty Judge of Probate, AL  
11/22/2013 03:26:59 PM FILED/CERT

Property Information: 33 8 34 0 002 037.000

Year: 2013



ALABAMA POWER  
COMPANY

600 NO 18TH ST

BIRMINGHAM AL 35203

000

34

24N

15E

0

0

110.00

90.00

0.00

0.00

description

BEG ON N LN SW1/4 190 W OF SE COR W1/2 NW 1/4 W TO N LN E WAXAHATCHEE CK SELY& NELY ALG  
WAXAHATCHEE CK TO POB



20131122000460040 6/6 \$29.00  
Shelby Cnty Judge of Probate, AL  
11/22/2013 03:26:59 PM FILED/CERT

8/21/2013