

STATE OF ALABAMA

COUNTY OF SHELBY

CONTAINMENT LETTER AFFIDAVIT

The undersigned affiant (the "Affiant"), personally appearing before the notary public below, who being duly sworn according to the law, deposes and says on oath as follows:

I am an attorney licensed to practice law in the state of Alabama and represent a client with respect to its purchase of certain real property located at 1740 Woodbrook Trail, Alabaster, Alabama, which is legally described in Exhibit "A" attached hereto and incorporated herein by reference (the "Property").

I am in receipt of certain correspondence Regarding Alabama Power Company Easement Containment Letter from Alabama Power Company dated January 25, 2024 attached hereto as Exhibit "B" and incorporated by reference herein (the "Containment Letter").

The Containment Letter pertains to (i) a right of way easement in favor of Alabama Power Company recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Deed Book 101, at Page 83 and (ii) to a Pole Line- Individual right of way easement in favor of Alabama Power Company dated August 10th, 1936 and recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Deed Book 295, at Page 619.

Signed on January 30th, 2024.

M. Lee Johnsey, Jr.

STATE OF ALABAMA

COUNTY OF JEFFERSON

I, the undersigned, a Notary Public, in and for said County in said State, hereby certify that M. Lee Johnsey, Jr., is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of this instrument, he executed the same voluntarily on this the 30th day of January, 2024.

Notary Public
Brandi Sanford
My commission expires: 11/28/25

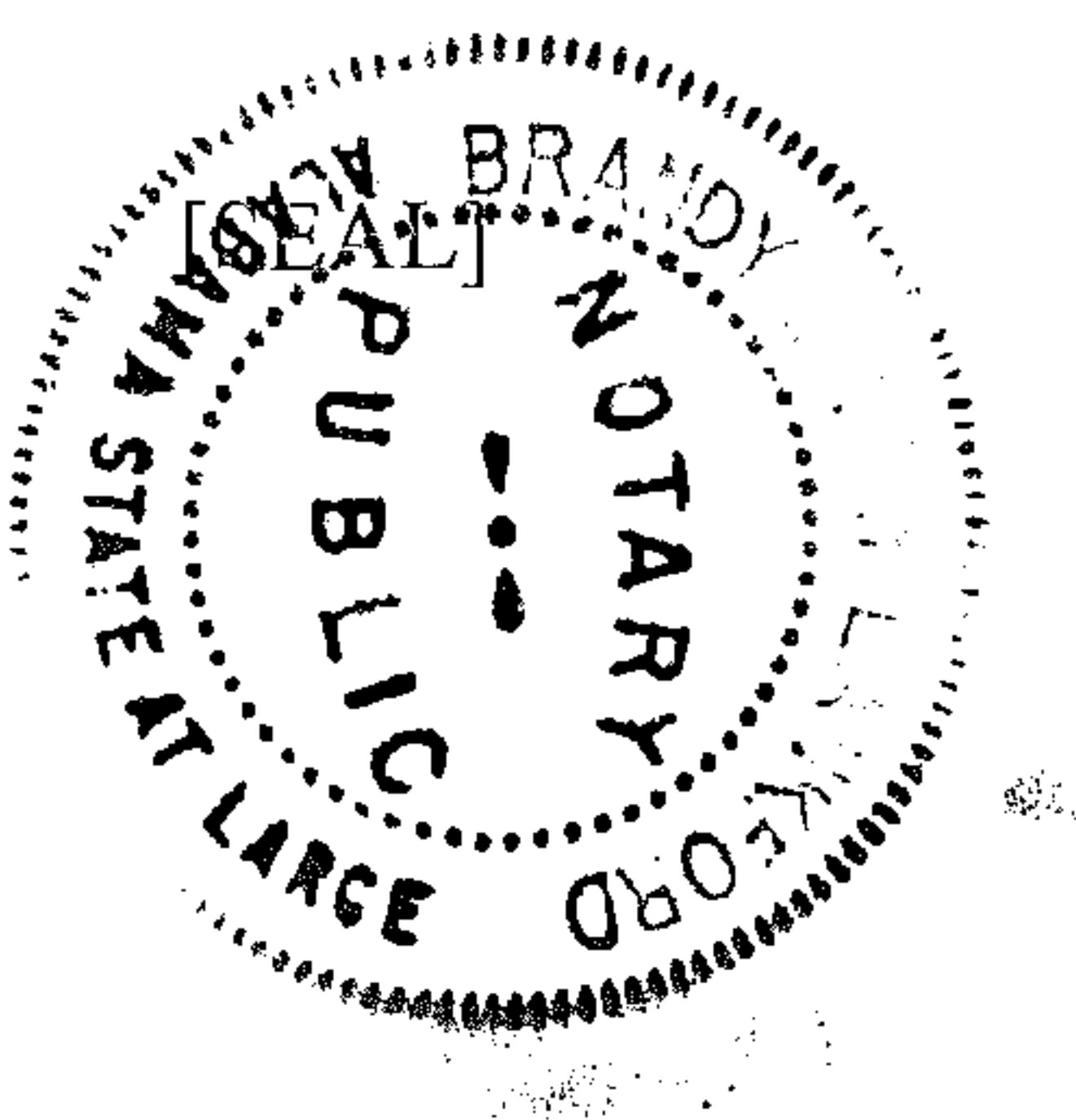


EXHIBIT "A"

The Property

The following real property is situated in Shelby County, Alabama:

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF SHELBY, STATE OF ALABAMA, AND IS DESCRIBED AS FOLLOWS:

ORIGINAL RECORD DESCRIPTION

Commence at the Northwest corner of the Southwest One-Quarter of Section 11, Township 21 South, Range 3 West; thence run East along the North line of said Quarter Section line for a distance of 1235.17 feet; thence turn an angle to the right of 90° and run South for a distance of 16.74 feet to the point of beginning; from the point of beginning thus obtained turn an angle to the left of 90°55'29" and run North 89°04'31" East for a distance of 774.99 feet; thence turn an angle to the right of 94°40'29" and run South 3°45' West for a distance of 151.76 feet; thence turn an angle to the left of 93°45' and run East for a distance of 245.00 feet; thence turn an angle to the right of 93°45' and run South 3°45' West for a distance of 93.40 feet to the point of commencement of a curve to the right, said curve having a central angle of 4°04'40" and a radius of 2841.09 feet; said chord bearing is South 5°47'20" West; thence run along the arc of said curve in a Southwesterly direction for a distance of 202.20 feet to the end of said curve; thence turn an angle to the right from the tangent extended to said curve of 81°12'33" and run South 89°02'13" West for a distance of 210.00 feet; thence turn an angle to the left of 76°10'06" and run South 12°52'07" West for a distance of 55.56 feet; thence turn an angle to the right of 90° and run North 77°07'53" West for a distance of 82.00 feet; thence turn an angle to the left of 90° and run South 12°52'07" West for a distance of 115.00 feet; thence turn an angle to the right of 63°40' and run South 76°32'07" West for a distance of 85.00 feet; thence turn an angle to the left of 63°40' and run South 12°52'07" West for a distance of 212.94 feet; thence turn an interior angle to the right of 73°55'17" and run North 61°03'10" West for a distance of 65.77 feet; thence turn an angle to the left of 26°58'40" and run North 88°01'50" West for a distance of 123.93 feet; thence turn an angle to the right of 13°18'35" and run North 74°43'15" West for a distance of 61.16 feet; thence turn an angle to the right of 29°40'41" and run North 45°02'34" West for a distance of 168.05 feet; thence turn an angle to the left of 65°03'32" and run South 69°53'54" West for a distance of 130.16 feet; thence turn an angle to the left of 29°25'03" and run South 40°28'51" West for a distance of 72.60 feet; thence turn an angle to the left of 3°34'28" and run South 36°54'23" West for a distance of 35.20 feet; thence turn an angle to the right of 20°30'52" and run South 57°25'15" West for a distance of 79.37 feet; thence turn an angle to the right of 47°35'07" and run North 74°59'38" West for a distance of 177.55 feet; thence turn an angle to the right of 49°48'02" and run North 25°11'36" West for a distance of 89.68 feet; thence turn an angle to the right of 8°47'59" and run North 16°23'37" for a distance of 22.48 feet; thence turn an angle to the right of 28°26'26" and run North 12°02'49" East for a distance of 18.64 feet; thence turn an angle to the right of 22°06'47" and run North 34°09'36" East for a distance of 48.14 feet; thence turn an angle to the left of 24°23'17" and run North 9°46'19" East for a distance of 86.54 feet; thence turn an angle to the left of 15°22'56" and run North 5°36'37" West for a distance of 25.80 feet; thence turn an angle to the left of 27°43'06" and run North 33°19'43" West for a distance of 47.20 feet; thence turn an angle to the left of 66°35'31" and run South 80°04'46" West for a distance of 95.59 feet; thence turn an angle of 18°23'40" and run North 81°31'34" West for a distance of 35.87 feet; thence turn an angle to the right of 15°54'27" and run North 65°37'07" West for a distance of 117.72 feet; thence turn an angle to the right of 28°09'54" and run North 37°27'13" West for a distance of 147.16 feet; thence turn an angle to the left of 00°36'11" and run North 38°03'24" West for a distance of 131.44 feet; thence turn an angle to the right of 37°27'25" and run North 00°35'59" West for a distance of 53.61 feet; thence turn an angle to the right of 55°34'51" and run North 54°58'52" East for a distance of 64.90 feet; thence turn an angle to the right of 36°29'42" and run South 88°31'26" East for a distance of 74.07 feet; thence turn an angle to the left of 57°13'59" and run North 34°14'35" East for a distance of 13.45 feet; thence turn an angle to the left of 14°12'31" and run North 20°02'04" East for a distance of 40.69 feet; thence turn an angle to the left of 17°15'54" and run North 2°46'10" East for a distance of 50.14 feet; thence turn an angle to the right of 86°18'21" and run North 89°04'31" East for a distance of 546.97 feet to the point of beginning.

LESS AND EXCEPT:

A part of the NE 1/4 of the SW 1/4, Section 11, Township 21 South, Range 3 West, identified as Tract No. 26, Project No. STPAA-458(1), Shelby County, Alabama, and being more fully described as follows:

Commence at the Northeast corner of said NE 1/4 of the SW 1/4; thence West along the North line of said NE 1/4 of SW 1/4 a distance of 402 feet, more or less, to the present Northwest right of way of Alabama Highway 119; thence Southerly along said right of way line a distance of 186 feet, more or less, to a point that is 75 feet Westerly of and at right angles to the centerline of Project No. STPAA-458(1) at Station 494+00 and the point of beginning of the property herein to be described; thence continue Southerly along said right of way line a distance of 267 feet, more or less, to the South property line; thence West along said property line a distance of 14 feet, more or less, to a point that is 75 feet Westerly of and at right angles to said centerline; thence Northerly, parallel with said centerline, along a curve to the left (concave Northerly), having a radius of 4675.0 feet, a distance of 269 feet, more or less, to the point of beginning. Situated in Shelby County, Alabama.

SURVEYED DESCRIPTION

Being situated in the North one-half of the Southwest quarter of Section 11, Township 21 South, Range 3 West, Shelby County, Alabama being more particularly described as follows: Commence at the Northwest corner of the Southwest quarter of Section 11, Township 21 South, Range 3 West; thence run East along the North line of said quarter section line for a distance of 1235.17 feet; thence run South for a distance of 16.74 feet an iron pin, said pin being the True Point of Beginning; from the point of beginning run North 89°04'31" East, 774.99 feet to an iron pin; thence run South 3°45'00" West, 151.67 feet to an iron pin; thence run East for a distance of 245.08 feet to an iron pin marking the West right of way of Alabama Highway 119; thence along said Alabama Highway 119 run South 07°37'12" West for a distance of 27.84 feet to a concrete monument; thence along a curve to the right (said curve having a radius of 4675.00 feet, a chord length of 269.40 feet and a chord bearing of South 07°52'38" West) run for a distance of 269.44 feet to an iron pin; thence leaving said right of way of Alabama Highway 119 run South 89°02'29" for a distance of 195.91 feet to an iron pin; thence run South 12°55'00" West, 55.59 feet to an iron pin; thence run North 77°10'14" West, 82.48 feet to an iron pin; thence run South 12°53'09" West, 114.76 feet to an iron pin; thence run South 76°36'31" West, 84.96 feet to an iron pin; thence run South 12°57'30" West, 171.46 feet; thence run South 12°57'30" West, 41.61 feet; thence run North 61°03'10" West, 64.79 feet; thence run North 88°01'50" West, 123.93 feet; thence run North 74°43'15" West, 61.16 feet; thence run North 45°02'34" West, 168.05 feet; thence run South 69°53'54" West, 130.16 feet; thence run South 40°28'51" West, 72.60 feet; thence run South 36°54'23" West, 35.20 feet; thence run South 57°25'15" West, 79.37 feet; thence run North 74°59'38" West, 177.55 feet; thence run North 25°11'36" West, 89.68 feet; thence run North 16°23'37" West, 22.48 feet; thence run North 12°02'49" East, 18.64 feet; thence run North 34°09'36" East, 48.14 feet; thence run North 09°46'19" East, 86.54 feet; thence run North 05°36'37" West, 25.80 feet; thence run North 33°19'43" West, 47.20 feet thence run South 80°94'46" West, 95.59 feet; thence run North 81°31'34" West, 35.87 feet; thence run North 65°37'07" West, 117.72 feet; thence run North 37°27'13" West, 147.16 feet; thence run North 38°03'24" West, 131.44 feet; thence run North 00°35'59" West, 53.61 feet; thence run North 54°58'52" East, 64.90 feet; thence run South 88°31'26" East, 74.07 feet; thence run North 34°14'35" East, 13.35 feet; thence run North 20°02'04" East, 40.69 feet; thence run North 02°46'10" East, 50.14 feet; thence run North 89°15'55" East, 32.72 feet; thence run North 89°04'31" East, 516.91 feet to an iron pin, said pin being the True Point of Beginning.

EXHIBIT "B"

Containment Letter

Attached hereto.



600 18th Street N/12N-0973
Birmingham, AL 35203
205-937-0600 tel
pdgray@southernco.com

January 25, 2024

Ms. Brandy Lankford
Balch & Bingham, LLP

Re: Alabama Power Company Easement Containment Letter
Parcel ID: 350738 and 15366

Brandy:

Alabama Power Company (APC) previously acquired and recorded the following easements in the Office of the Judge of Probate of Shelby County, Alabama:

Those certain easements recorded in Deed Book 101 at Page 83 and Deed Book 295 at Page 619 in the Probate Court of Shelby County, Alabama. Said easements are attached hereto and made part hereof as Exhibit A.

The above easements were acquired to construct, operate, and maintain APC electrical line facilities. APC does not claim the right to construct additional lines on the subject tax parcel(s) under the authority granted in the above-referenced document. APC does retain all rights and privileges associated with the existing facilities and right(s)-of-way specifically associated therewith, which are located on or adjacent to said property as of the date of this letter. APC does hereby contain its rights in the existing easement to remain substantially as presently constructed, with certain exceptions. APC agrees not to set additional poles or anchors at locations within the easement area(s), except as needed for the safety and maintenance of the existing facilities.

Land Description: Those certain distribution easements attached hereto and made a part hereof.

Please feel free to contact me at (205)257-7686 if you have any questions or concerns.

Very truly yours,

A handwritten signature in black ink, appearing to read "P. David Gray", written over a circular stamp or seal.

P. David Gray
Corporate Real Estate
Land Acquisition-Legal

/Enclosure

STATE OF Alabama 350738
COUNTY OF Shelby 479
6010 DSO WD-103 1975
Alabaster Gardens Apartments
Off Alabaster District
Alabaster Gardens, Ltd.

KNOW ALL, MEN BY THESE PRESENTS, that, the undersigned,

Albion Co. Ltd, by Harold L.
Fisher a general partner

for and in consideration of the sum of One and No/100 Dollars (\$1.00), to it in hand paid by Alabama Power Company, a corporation, the receipt whereof is acknowledged, does hereby grant to said Alabama Power Company, its successors and assigns, the right to construct, install, operate and maintain, and the right to permit other corporations and persons to construct, install, operate and maintain, along a route to be selected by the grantee, (generally shown crosshatched on the attached drawing) its successors and assigns, all conduits, cables, trans closures and other appliances and facilities useful or necessary in connection therewith, for the underground transmission and distribution of electric power and for underground communication service, upon, under and across the following described land, situated in Sheley County, Alabama:

She 17/ County, Alabama:

See Exhibit "A" Attached hereto

**This Instrument prepared in
the Land Dept. of Alabama
Birmingham, Ala.**

Power Cont. by K. O. Higgins

01-215,3w

BOOK 295 PAGE 619

LAN-1157-60600
POLE LINE-INDIVIDUAL

15366

STATE OF ALABAMA

1 A 0 0 0 0 0 0 0 0 0 0

County of *Shuford**We L. L. Walker and wife Pearl Walker*for and in consideration of the sum of *One and no/100* Dollars(\$ *1.00*) to *us* in hand paid by Alabama Power Company, a corporation, the receipt whereof is acknowledged, do hereby grant to said Alabama Power Company, its successors and assigns, the right to construct, operate and maintain its lines of poles and towers and appliances necessary in connection therewith, as located by the final location survey heretofore made by said Company, for the transmission of electric power with the right to string thereon from time to time electric power and telephone wires and the right to permit other corporations and persons to attach wires to said poles and towers upon,

over and across the following described land situated in

Shuford County, Alabama:*A tract of land in the NE 1/4 of Section 17, Township 21, Range 3, East of the 2nd Meridian, in the East of the 2nd Meridian, bounded on the East by the 2nd Meridian, on the South by the 2nd Meridian, and on the North by the 2nd Meridian.*

S11 T21 R3

Together with all the rights and privileges necessary or convenient for the full enjoyment or use thereof, including the right of ingress and egress to and from said lines; and also the right to cut and keep clear all trees, and to keep clear other obstructions, that may injure or endanger said lines.

TO HAVE AND TO HOLD the same to the said Company, its successors and assigns, forever.

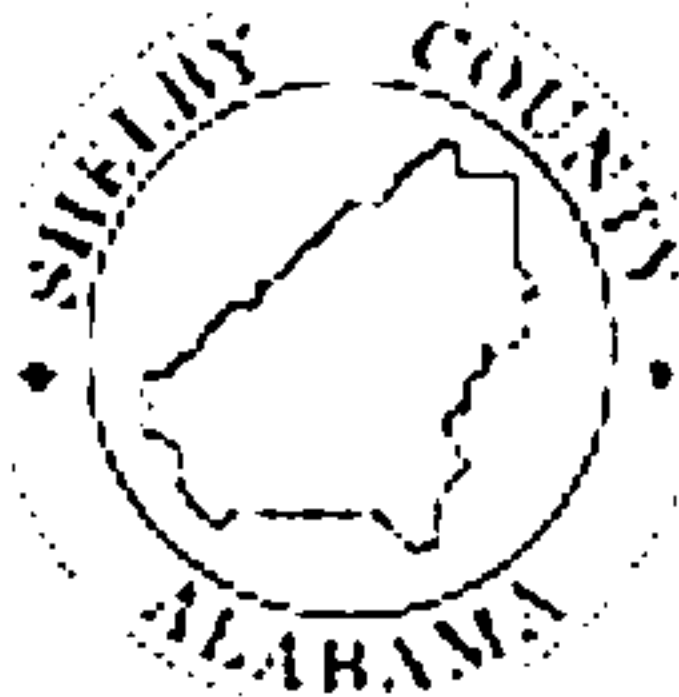
IN WITNESS WHEREOF *We* have hereunto set *our* hands and seal, this the

WITNESS:

10 day of *April* 19*36*
J. L. Boone

00964

Pearl Walker (Seal)
Pearl Walker (Seal)



Filed and Recorded
Official Public Records
Judge of Probate, Shelby County Alabama, County
Clerk
Shelby County, AL
01/31/2024 01:53:35 PM
\$43.00 JOANN
20240131000025220

Allen S. Bayl

STATE OF ALABAMA
County of Shelby
I, Allen S. Bayl
Judge of Probate of said County, do hereby certify that on the 10 day of March, 1936,
known to me to be the wife of the within named
who being examined separate and apart
from the husband touching her signature to the within instrument, acknowledged that she signed the same
of her own free will and accord, and without fear, constraint or threats on the part of the husband.
Given under my hand and official seal, this the 10 day of March, 1936
Notary Public

Siluria-Montevallo Road Ext.
Off of Siluria Dist.

Parcel No. 15366 Abstract No. _____

Distance _____ Consideration \$ _____

THE STATE OF ALABAMA,

Shelby County.

Transmission Line Permit

FROM

L. C. Walker and wife,

Pearl Walker

TO

ALABAMA POWER COMPANY

College Tax

within

by

THE STATE OF ALABAMA,

ss.

County

Shelby

County

Judge of Probate

L. C. Walker

Notary Public

I hereby certify that the within instrument

was filed in my office for record on the 12

day of June, 1936, at

1 o'clock P. M., and duly recorded

in Deed Book 101, Page 89

and examined.

L. C. Walker

Judge of Probate of said County.

00905

Checked

REPORT

STATE OF ALABAMA
County of Shelby
I, Allen S. Bayl
Judge of Probate of said County, do hereby certify that on the 10 day of March, 1936,
known to me, acknowledged before me
whose name is L. C. Walker and wife,
signed to the foregoing instrument and who
on this day that being informed of the contents of the instrument
voluntarily, on the day the same bears date,
Given under my hand and official seal, this the 10 day of March, 1936
Notary Public