

This instrument was prepared by
Peggy A. Werdehoff, Attorney
USX Corporation
Fairfield, Alabama 35064

STATE OF ALABAMA
COUNTY OF SHELBY

42,000.00

KNOW ALL MEN BY THESE PRESENTS that, for and in consideration of One Hundred Dollars (\$100.00) and other valuable considerations paid to USX CORPORATION, a Delaware corporation, formerly United States Steel Corporation, hereinafter called "Grantor", by J. D. CURTIS CONSTRUCTION, INC., an Alabama corporation, whose mailing address is 2166 Highway 31 South, Birmingham, Alabama 35124, hereinafter called "Grantee", receipt of which is acknowledged, the said Grantor does hereby grant, bargain, sell and convey unto the said Grantee the following described real estate, MINERALS AND MINING RIGHTS EXCEPTED, situated in Shelby County, Alabama to wit:

Lot 25, according to the survey of Heatherwood, 4th Sector, as recorded in Map Book 9, Pages 161, 162 and 163 in the Probate Office of Shelby County, Alabama.

RESERVING AND EXCEPTING, however, from this conveyance all of the coal, iron ore, gas, oil, methane, hydrocarbons, occluded natural gas, coalbed methane gas, limestone, and all other minerals and non-mineral substances in and under said land, including water associated with the production of coalbed methane gas, together with the right to explore for, to drill for, to mine, to produce and to remove said coal, iron ore, gas, oil, methane, hydrocarbons, occluded natural gas, coalbed methane gas, limestone, and all other minerals and non-mineral substances in and under said land, including water associated with the production of coalbed methane gas, without using the surface of said land; and also the right to transport through said land coal, iron ore, gas, oil, methane, hydrocarbons, occluded natural gas, coalbed methane gas, limestone, and all other minerals and non-mineral substances from adjoining or other land without using the surface of the land hereby conveyed.

This conveyance is made upon the covenant and condition which shall constitute a covenant running with said land that no right of action for damages on account of injury to said land or to any buildings, improvements, structures, pipe lines and other sources of water supply now or hereafter located upon said land or to any owners or occupants or other persons in or upon said land, resulting from past mining or other operations of the Grantor, its predecessors, assignees, licensees, lessees or contractors, or resulting from blasting, dewatering or the removal of said minerals, whether said past mining or other past operations be in said land or other lands, shall ever accrue to or be asserted by the Grantee herein or by said Grantee's successors in title, or by any person, this deed made expressly subject to all such past or future injuries. It is understood by the Grantee that Grantor cannot determine to any degree of certainty whether or not any past mining or other operations have occurred in said land or lands in the general vicinity of said land.

TO HAVE AND TO HOLD unto the said Grantee, its successors and assigns, forever; SUBJECT, however, to the following: (a) applicable zoning and subdivision regulations; (b) taxes for the current tax year; (c) building setback line of 35 feet reserved from Heatherwood Drive as shown by plat; (d) public utility easements as shown by recorded plat, including a 5 foot easement on the Westerly side and a 10 foot easement on the Southeasterly side; (e) restrictions, covenants and conditions as set out in instrument recorded in Real 71, Page 737 in said Probate Office; and (f) easement to Alabama Power Company as shown by instrument recorded in Real 84, Page 162 in said Probate Office.

And the Grantor does for itself and for its successors and assigns covenant with the Grantee, its successors and assigns, that it is lawfully seized in fee simple of the lands conveyed hereby; that they are free from all encumbrances, except as herein mentioned; that it has

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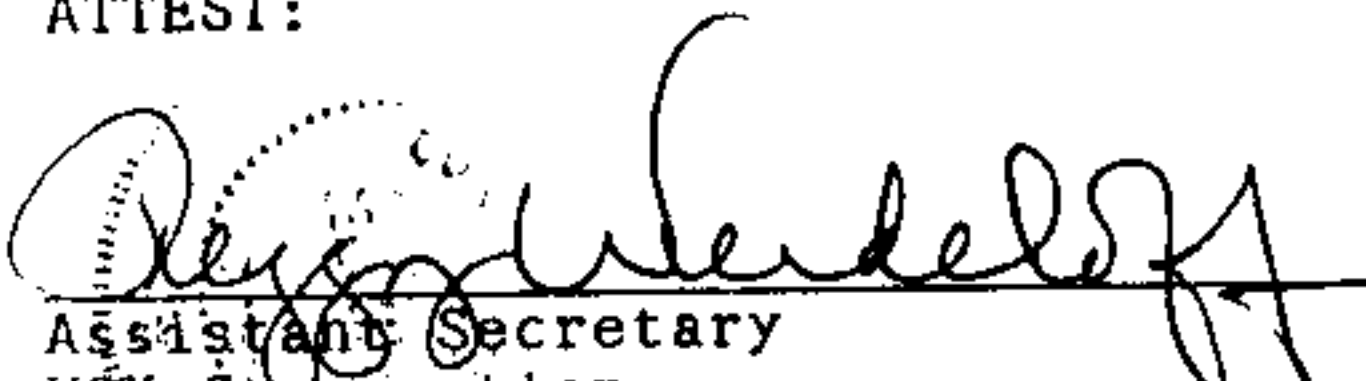
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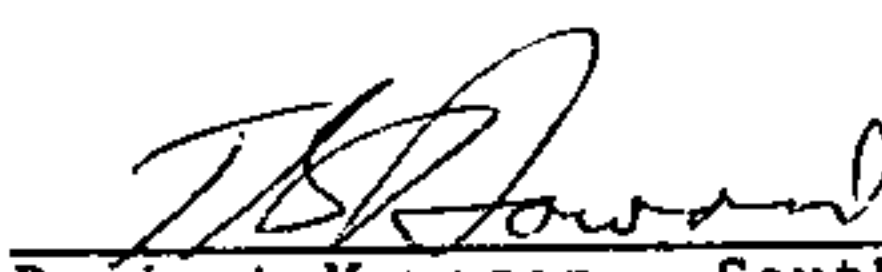
a good right to sell and convey the same as aforesaid; and that it will and its successors and assigns shall warrant and defend the same to the Grantee, its successors and assigns, forever against the lawful claim of all persons.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed in its name and behalf and its corporate seal to be hereunto affixed and attested by its officers thereunto duly authorized this, the 24th day of October, 1986.

ATTEST:

USX CORPORATION


Assistant Secretary
USX Corporation


Project Manager - Southeast
U. S. Diversified Group



STATE OF ALABAMA
COUNTY OF JEFFERSON

I, Gayla F. Camp, a Notary Public in and for said County in said State, hereby certify that Thomas G. Howard, whose name as Project Manager - Southeast, U. S Diversified Group, a division of USX 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.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this, the 24th day of October, 1986.

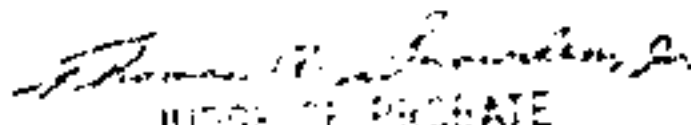

Notary Public

My Commission Expires September 16, 1990



STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED

1986 NOV -4 AM 8:17


JUDGE OF PROBATE

| | | |
|------------------|----|------|
| 1. Dead Tax | \$ | — |
| 2. Mtg. Tax | | — |
| 3. Recording Fee | | 5.00 |
| 4. Indexing Fee | | 1.00 |
| TOTAL | | 6.00 |