

THIS INSTRUMENT PREPARED BY
AND UPON RECORDING SHOULD BE
RETURNED TO:
Stephen R. Monk
Daniel Corporation
P.O. Box 385001
Birmingham, Alabama 35238-5001

SEND TAX NOTICE TO:
David F. Byers
5400 Saddlecreek Lane
Birmingham, Alabama 35242

100,000.00

STATUTORY WARRANTY DEED

THIS STATUTORY WARRANTY DEED is executed and delivered on this 23rd day of August, 1993 DANIEL OAK MOUNTAIN LIMITED PARTNERSHIP, an Alabama limited partnership ("Grantor"), in favor of DAVID F. BYERS, as Debtor-in-Possession and in his capacity as Trustee of the Estate of David F. Byers, Case No. 89-11039, pending before the United States Bankruptcy Court, Northern District of Alabama, Southern Division, and DAVID F. BYERS, and wife, MARY ANN BYERS (collectively, "Grantee").

KNOW ALL MEN BY THESE PRESENTS, that for and in consideration of the sum of Ten and No/100 Dollars (\$10.00), in hand paid by Grantee to Grantor and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by Grantor, Grantor does by these presents, GRANT, BARGAIN, SELL and CONVEY unto Grantee that certain real property (the "Property") situated in Shelby County, Alabama, which is more particularly described in Exhibit A attached hereto and incorporated herein by reference.

The Property is conveyed subject to the following:

1. Ad valorem taxes due and payable October 1, 1993, and all subsequent years thereafter.
2. Fire district dues and library district assessments for the current year and all subsequent years thereafter.
3. Mining and mineral rights not owned by Grantor.
4. All applicable zoning ordinances.
5. All easements, restrictions, reservations, agreements, rights-of-way, buildings setback lines and any other matters of record.

TO HAVE AND TO HOLD unto the said Grantee, their respective heirs, executors, administrators, personal representatives, successors and assigns, forever.

IN WITNESS WHEREOF, the undersigned Grantor has caused this Statutory Warranty Deed to be executed as of the day and year first above written.

08/27/1993-25944
11:05 AM CERTIFIED
SHELBY COUNTY JUDGE #9:30

EXHIBIT A

Parcel II-A:

A parcel of land situated in Section 28, Township 18 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows:

Begin at the Northwest corner of the Northwest Quarter of the Southeast Quarter of said Section 28; thence run South 89 degrees 01 minutes 47 seconds East for a distance of 81.79 feet to a point; thence run South 39 degrees 57 minutes 40 seconds West for a distance of 37.26 feet to a point; thence run South 28 degrees 04 minutes 43 seconds West for a distance of 44.71 feet to a point; thence run South 11 degrees 14 minutes 05 seconds West for a distance of 80.76 feet to a point; thence run South 0 degrees 39 minutes 05 seconds East for a distance of 53.11 feet to a point; thence run South 1 degree 16 minutes 04 seconds West for a distance of 58.35 feet to a point; thence run South 4 degrees 57 minutes 21 seconds West for a distance of 82.62 feet to a point; thence run South 14 degrees 00 minutes 49 seconds West for a distance of 91.52 feet to a point on the West line of said Quarter-Quarter Section; thence run North 1 degree 11 minutes 04 seconds East along the West line of said Quarter-Quarter Section for a distance of 431.25 feet to the point of beginning. Said Parcel II-A containing 12,070 square feet, more or less.

According to the survey of K.B. Weygand & Associates, P.C. dated August 10, 1993.

Parcel II-B:

A parcel of land situated in Section 28, Township 18 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the Northwest corner of the Northwest Quarter of the Southeast Quarter of said Section 28; thence run South 89 degrees 01 minutes 47 seconds East along the North line of said Quarter-Quarter Section for a distance of 81.79 feet to the point of beginning; thence continue along last stated course for a distance of 116.39 feet to an iron pin found; thence run South 89 degrees 06 minutes 26 seconds East for a distance of 171.58 feet to the centerline of a creek; thence run South 33 degrees 54 minutes 07 seconds East for a distance of 196.68 feet to a point; thence run South 76 degrees 26 minutes 26 seconds West for a distance of 56.22 feet to a point on a curve to the left having a central angle of 49 degrees 30 minutes 31 seconds and a radius of 355.31 feet; thence run in a Southwesterly direction along the arc of said curve for a distance of 307.02 feet to a point;

thence run South 26 degrees 55 minutes 55 seconds West for a distance of 33.16 feet to a point on a curve to the right having a central angle of 29 degrees 08 minutes 57 seconds and a radius of 546.91 feet; thence run in a Southwesterly direction along the arc of said curve for a distance of 278.24 feet to a point; thence run South 56 degrees 04 minutes 51 seconds West for a distance of 7.72 feet to a point on the West line of said Quarter-Quarter Section; thence run North 1 degree 11 minutes 04 seconds East along the West line of said Quarter-Quarter Section for a distance of 175.81 feet to a point; thence run North 14 degrees 00 minutes 49 seconds East for a distance of 91.52 feet to a point; thence run North 4 degrees 57 minutes 21 seconds East for a distance of 82.62 feet to a point; thence run North 1 degree 16 minutes 04 seconds East for a distance of 58.35 feet to a point; thence run North 0 degrees 39 minutes 05 seconds West for a distance of 53.11 feet to a point; thence run North 11 degrees 14 minutes 05 seconds East for a distance of 80.76 feet to a point; thence run North 28 degrees 04 minutes 43 seconds East for a distance of 44.71 feet to a point; thence run North 39 degrees 57 minutes 40 seconds East for a distance of 37.26 feet to the point of beginning. Said Parcel II-B containing 3.318 acres, more or less.

According to the survey of K.B. Weygand & Associates, P.C. dated August 10, 1993.

PARCEL III:

A parcel of land situated in Section 28, Township 18 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the Northeast corner of the Northeast quarter of the Southwest quarter of said Section 28; thence run south 1 degree 11 minutes 04 seconds West for a distance of 940.84 feet to an iron pin found; thence run North 53 degrees 59 minutes 46 seconds West for a distance of 326.56 feet to the point of beginning; thence continue along last stated course for a distance of 423.48 feet to an iron pin found; thence run South 36 degrees 01 minutes 28 seconds West for a distance of 290.27 feet to a point on a curve to the right having a central angle of 2 degrees 20 minutes 08 seconds and a radius of 510.49 feet and a chord bearing of South 78 degrees 30 minutes 03 seconds East; thence run in a Southeasterly direction along the arc of said curve for a distance of 20.81 feet to a point; thence run South 77 degrees 19 minutes 59 seconds East for a distance of 109.34 feet to a point on a curve to the left having a central angle of 29 degrees 28 minutes 13 seconds and a radius of 759.74 feet; thence run in a Northeasterly direction along the arc of said curve for a distance of 390.77 feet to the point of beginning. Said Parcel III containing 1.70 acres, more or less.

ACCORDING TO THE SURVEY OF K. B. WEYGAND & ASSOCIATES, P.C. DATED JULY 9, 1993.

PARCEL IV:

A Parcel of land situated in Section 28, Township 18 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the Northeast corner of the Northeast Quarter of the Southwest Quarter of said Section 28; thence run South 1 degree 11 minutes 04 seconds West along the East line of said Quarter-Quarter Section for a distance of 940.84 feet to an iron pin found; thence run North 53 degrees 59 minutes 46 seconds West for a distance of 750.04 feet to an iron pin found; thence run North 36 degrees 01 minutes 28 seconds East for a distance of 247.70 feet to the point of beginning; thence continue along last stated course for a distance of 375.30 feet to an iron pin found; thence run North 57 degrees 15 minutes 13 seconds West for a distance of 417.34 feet to a point; thence run South 32 degrees 43 minutes 01 seconds West for a distance of 278.98 feet to a point; thence run South 43 degrees 39 minutes 29 seconds East for a distance of 407.15 feet to the point of beginning. Said Parcel IV containing 3.06 acres, more or less,

ACCORDING TO THE SURVEY OF K.B. WEYGAND & ASSOCIATES, P.C. DATED JULY 9, 1993.

Inst # 1993-25944

08/27/1993-25944
11:05 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
005 MCD 119.50