

This Instrument Prepared By:
G. Burns Proctor Jr., Esq.
Johnston, Barton, Proctor, Swedlaw & Naff
2900 AmSouth/Harbert Plaza
1901 Sixth Avenue North
Birmingham, Alabama 35203-3618

Send Tax Notice To:
Peltown Realty Company
10 Cross Creek Trail
P. O. Box 509
Pelham, Alabama 35129
Attn: Kerry Upton

Inst # 1993-34041

10/29/1993-34041
03:15 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
25.50
003 MCD

STATE OF ALABAMA)

SHELBY COUNTY)

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that MSR, Ltd., an Alabama Limited Partnership (Grantor"), in consideration of the payment of Twelve Thousand & NO/100 Dollars (\$12,000.00), the receipt of which is hereby acknowledged by Grantor, hereby grants, bargains, sells and conveys unto Peltown Realty Company, an Alabama general partnership, the following described real estate and improvements thereon situated in Shelby County, Alabama, (the "Premises") to wit:

Commence at the Southwest corner of the SE 1/4 of the NW 1/4 of Section 12, Township 20 South, Range 3 West, Pelham, Shelby County, Alabama and run thence Easterly along the South line of said 1/4 - 1/4 Section 1,091.42 feet to a point; thence turn 69°30'30" left and run Northeasterly 497.46 feet to a point; thence turn 94°13'30" left and run 191.58 feet to a point; thence turn 9°46'30" right and run 80.0 feet to a point thence turn 26°02'30" left and run 589.60 feet to a point; thence turn 88°35'00" right and run 202.40 feet to the point of beginning of the property being described; thence continue along last described course 197.60 feet to a point; thence turn 88°35'00" left and run 220.00 feet to a point; thence turn 138°42'16" left and run 299.32 feet to the point of beginning, property being in the shape of a triangle. Property is marked on each corner by a steel pin or pipe.

Subject to:

1. Ad valorem taxes for the year 1993;
2. The rights of upstream and downstream riparian owners with respect to Cahaba Valley Creek, bordering the Premises;
3. Right of Way granted to Alabama Power Company by instrument recorded in Volume 108, page 379, in the Probate Office of Shelby County, Alabama;
4. Right of way to Shelby County, recorded in Volume 261, page 776, in the Probate Office of Shelby County, Alabama;

5. Restrictions appearing of record in Volume 241, page 88, in the Probate Office of Shelby County, Alabama;
6. Easement for access, recorded in Volume 264, page 524, in the Probate Office of Shelby County, Alabama; and
7. Coal, oil, gas and other mineral interests in, to or under the Premises which are not owned by the grantor.

TO HAVE AND TO HOLD the Premises unto the Grantee, in fee simple, and unto its successors and assigns, forever.

The Grantor does for itself, and for its successors and assigns, covenant with the Grantee, and its successors and assigns, that it is lawfully seized in fee simple of the Premises; that the Premises are free from all encumbrances except as hereinabove stated; that it has a good right to sell and convey the Premises the same as done hereby; and that it will, and its successors and assigns shall, warrant and defend title to the Premises to the Grantee, and to its successors and assigns, against the lawful claims of all persons.

IN WITNESS WHEREOF, the undersigned Grantor, James A. Woods, as General Partner of MSR, Ltd., has executed this instrument on this 27 day of August, 1993.

MSR, Ltd.

By:


James A. Woods
Its: General Partner

STATE OF ALABAMA)

SHELBY COUNTY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that James A. Woods, whose name as General Partner of MSR, Ltd., an Alabama limited partnership, 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 said instrument, he, as such General Partner, and with full authority, executed the same voluntarily as the act of said limited partnership acting in his capacity as aforesaid.

Given under my hand and seal this 27th day of August, 1993.


Notary Public

My Commission Expires:

My Commission Expires August 1, 1994

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