

STATE OF ALABAMA
SHELBY COUNTY

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)
STATUTORY WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS that in consideration of **Eight Hundred Eighty Nine Thousand Four Hundred Five & NO/100 Dollars (\$889,405.00)** to the undersigned grantor, in hand paid by the grantee herein, and other good and valuable consideration, the receipt whereof is acknowledged, **Arthur P. Bolton, III and Cathy Bolton (a/k/a Kathy Bolton)**, husband and wife (collectively hereinafter referred to as "Grantors"), grant, bargain, sell and convey unto **Lindsey Development Company, LLC** (herein referred to as "Grantee"), the following described real estate, situated in Shelby County, Alabama to wit:

See Exhibit A attached hereto and incorporated herein by reference.

SUBJECT TO AND EXCEPT FOR:

1. 1998 Ad Valorem Taxes.
2. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto not owned by the Grantor.
3. Transmission Line Permit(s) to Alabama Power Company as shown by instrument(s) recorded in Deed Book 112, Page 458; Deed Book 123, Page 430 and Deed Book 217, Page 752 in Probate Office.
4. Right(s)-of-Way(s) granted to Shelby County by instrument(s) recorded in Deed Book 212, Page 598 in Probate Office.
5. Easement(s) to Southern Natural Gas Corporation as shown by instrument recorded in Deed Book 196, Page 308 in Probate Office.
6. Matters which would be disclosed by an accurate survey.

In addition to the foregoing, the property conveyed hereby (the "Subject Property") shall be subject to the following restrictive covenants which shall run with the land and govern the use of the Subject Property. By acceptance hereof, Grantee agrees for itself and its successors and assigns that a maximum of one permanent (that is, not mobile, prefabricated, or "manufactured") single family dwelling shall be constructed on each lot in each subdivision developed on any portion of the Subject Property. This restriction shall be enforceable by the Grantors and their successor(s) in title, shall constitute a covenant running with the land, and shall also benefit all land contiguous to the Subject Property which is owned by the Grantors, or with respect to which the Grantors hold any beneficial interest, on the date of delivery hereof.

TO HAVE AND TO HOLD to the said Grantee, his heirs and assigns forever.

08/14/1998-31624
12:18 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
004 HEL 18.00

Inst # 1998-31624

Alabama Title

IN WITNESS WHEREOF, we have hereunto set our hands and seals, this 13th day of August, 1998.

Arthur P. Bolton, III
ARTHUR P. BOLTON, III

Cathy Bolton
CATHY BOLTON (A/K/A KATHY BOLTON)

STATE OF Alabama)
Jefferson COUNTY)

I, Wendy L. Love, a Notary Public in and for said County, in said State, hereby certify that **Arthur P. Bolton, III** whose name 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 executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 13th day of August, 1998.

Wendy L. Love
Notary Public

My Commission Expires: 10/99

STATE OF Alabama)
Jefferson COUNTY)

I, Wendy L. Love, a Notary Public in and for said County, in said State, hereby certify that **Cathy Bolton (a/k/a Kathy Bolton)** whose name 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 she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 13th day of August, 1998.

Wendy L. Love
Notary Public

My Commission Expires: 10/99

THIS INSTRUMENT PREPARED BY:

James E. Vann, Esquire
Johnston & Conwell, L.L.C.
800 Shades Creek Parkway
Suite 325
Birmingham, AL 35209
(205) 414-1212

SEND TAX NOTICE TO:

Bob Lindsey

2223 1ST AVE. NO.
BHAM AL 35203

Grantee accepts delivery of this Statutory Warranty Deed and agrees to be bound by the provisions of this instrument.

Lindsey Development Company, LLC

By: _____


Robert W. Lindsey, Member

RE-3517.1

EXHIBIT A

PARCEL 1

Commence at the N.W. Corner of the NW 1/4 of Section 36, Township 21 South, Range 3 West; thence S 86 deg-11'-13" E a distance of 499.60' to THE POINT OF BEGINNING; thence S 12 deg-35'-04" E a distance of 288.31'; thence N 74 deg-05'-51" E a distance of 570.29'; thence S 18 deg-52'-38" E a distance of 298.84'; thence N 74 deg-54'-16" E a distance of 19.17'; thence S 17 deg-37'-20" E a distance of 9.16' to the north right-of-way of Stage Coach Road (60' ROW) and a point on a curve to the right having a central angle of 20 deg-11'-26" and a radius of 130.01' and subtended by a chord bearing of N 58 deg-37'-42" E and a chord distance of 45.57'; thence along arc of said curve a distance of 45.81' to the end of said curve; thence N 68 deg-43'-26" E a distance of 74.02' to a point of a curve to the right having a central angle of 05 deg-51'-47" and a radius of 1000.00' and subtended by a chord bearing of N 71 deg-39'-19" E a chord distance of 102.28'; thence along said arc a distance of 102.33' to end of said curve; thence N 74 deg-35'-12" E and along the north right-of-way line of Stage Coach Road (60' ROW) a distance of 519.05' to the point of a curve to the right having a central angle of 2 deg-03'-03" and a radius of 1000.00' and subtended by a chord bearing of N 75 deg-36'-43" E and a chord distance of 35.79'; thence along arc of said curve a distance of 35.79' to the end of said curve; thence N 78 deg-38'-15" E and along said right-of-way a distance of 333.67' to a Point of a curve to the left having a central angle of 71 deg-11'-27" a radius of 80.00' and subtended by a chord bearing of N 41 deg-02'-31" E a chord distance of 93.13'; thence along arc of said curve 99.40' to the end of said curve; thence N 5 deg-26'-47" E and along said right-of-way a distance of 94.10' to a point of a curve to the right having a central angle of 42 deg-45'-14" a radius of 110.00' and subtended by a chord bearing of N 26 deg-49'-24" E a chord distance of 80.19'; thence along arc of said curve a distance of 82.08' to the end of said curve; thence N 12 deg-58'-11" W and leaving said right-of-way (60' ROW) a distance of 49.50' to a point of a curve to the right having a central angle of 9 deg-11'-46" a radius of 1000.00' and subtended by a chord bearing of N 8 deg-22'-18" W a chord distance of 160.33'; thence along arc of said curve a distance of 160.50' to the end of said curve; thence N 3 deg-46'-25" W a distance of 74.36' to a point of a curve to the right having a central angle of 10 deg-35'-55" a radius of 1000.00' and subtended by a chord bearing of N 1 deg-31'-33" E a chord distance of 184.72'; thence along arc of said curve a distance of 184.98' to the end of said curve; thence N 6 deg-49'-30" E a distance of 662.36; thence N 6 deg-25'-42" E a distance of 66.05' to a point of a curve to the right on the west right-of-way (80" ROW) of County Road 12 having a central angle of 13 deg-48'-07" a radius of 1070.98' and subtended by a chord bearing of N1Deg-18'-28" W a chord distance of 257.37'; thence along arc of said curve a distance of 257.99' to the end of said curve; thence N 05 deg-35'-35" E and along said right-of-way a distance of 66.91'; thence N 86 deg-12'-01" W and leaving said right-of-way a distance of 2329.18'; thence S 1 deg-26'-16" E a distance of 1040.92'; thence S 27 deg-49'-23" E a distance of 655.86'; thence S 12 deg-35'-04" E a distance of 183.51' to the POINT OF BEGINNING.

Containing 95.37 acres more or less.

PARCEL 2

Commence at the N. W. Corner of the NW 1/4 of Section 36, Township 21 South, Range 3 West; thence S 86 deg-11'-13" E a distance of 499.60'; thence S 12 deg-35'-04" E a distance of 288.31'; thence N 74 deg-05'-51" E a distance of 323.35 to the POINT OF BEGINNING; thence continue along last described course a distance of 246.94'; thence S 18 deg-52'-38" E a distance of 298.84'; thence S 74 deg-54'-16" W a distance of 93.07'; thence S 79 deg-43'-02" W a distance of 162.83'; thence N 17 deg-23'-19" W a distance of 279.27' to the Point of Beginning. Containing 1.67 acres more or less.

LESS AND EXCEPT

Less and except a 90.00' Southern Natural Gas line easement.
Less and except any right-of-ways and/or easements of record

Inst # 1998-31624

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SHELBY COUNTY JUDGE OF PROBATE
18.00
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