

**STATUTORY WARRANTY DEED**  
**C O R R E C T E D**

**STATE OF ALABAMA**

**COUNTY OF SHELBY**

THIS DEED IS BEING RE-RECORDED TO CORRECT THE EXECUTION DATE OF THE INSTRUMENT.  
**KNOW ALL MEN BY THESE PRESENTS**

That for and in consideration of Fifty Thousand and 00/100 (\$50,000.00) Dollars to the undersigned Grantor, Express Wash, Inc., a corporation, in hand paid by Foresight Development, LLC, a limited liability company the receipt whereof is acknowledged, the said Express Wash, Inc., a corporation do/does grant, bargain, sell and convey unto the said Foresight Development, LLC, a limited liability company, the following described real estate, to-wit:

See Attached Exhibit A for Legal Description

Subject to existing easements, current taxes, restrictions, set-back lines and rights of way, if any, of record.

This conveyance is subject to the following covenants and restrictions which shall attach to and run with the land:

- a. Grantor reserves a sewer easement (described as Exhibit "B") for the purpose of allowing access by Grantor from Grantor's retained property along the existing sewer lines on the property being purchased to the sewer main along Highway 261. Further, Grantee will maintain the existing sewer lines and allow Grantor to attach to any future sewer mains within the easement or along the right of way of Highway 261.
- b. The conveyance to Grantee shall have a provision reserving unto Grantor access for ingress and egress from Grantor's retained property along a roadway to yet be constructed to Highway 261. Any extension of a roadway from Highway 261 onto the property sold by grantor to grantee will be located in such a manner as to border the property retained by grantor so as to allow grantor access to the future road extension onto the property transferred by grantor to grantee. The purpose of this easement is to allow traffic flow from grantor's existing property along a roadway to be constructed by grantee from grantor's retained property to Highway 261 across the property herein sold to grantee at a traffic light which is about to be located on Highway 261 in front of the property sold by grantor and purchased by the grantee.
- c. The property transferred herein shall never be used as any type of car wash or similar activity.

**TO HAVE AND TO HOLD** to the said GRANTEES for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, and to the heirs and assigns of such survivor forever, together with every contingent remainder and right of reversion.

To have and to hold the said above described property unto the said party of the second part, together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining and unto his heirs and assigns forever.

**IN WITNESS WHEREOF**, I/We have hereunto set my/our hand(s) and seal this 4th day of September, ~~2000~~ 2001.

Express Wash Inc.

\_\_\_\_\_  
W. Arnold Jones, Jr., President

09/07/2001-38749  
03:43 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
004 KSB 70.00

11/07/2001-48296  
01:16 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
004 MEL

Inst # 2001-38749

Inst # 2001-48296

State of Alabama)  
County of Shelby)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that W. Arnold Jones, Jr., whose name as President of Express Wash, Inc., a 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 THIS THE 4TH DAY OF SEPTEMBER, 2001.

My Commission Expires:

3/1/03

  
Notary Public

COURTNEY H. HARRISON JR  
MY COMMISSION EXPIRES JANUARY 5, 2003

## Exhibit A

A part of Lot 1, W. A. Jones Subdivision, as recorded in the Office of the Judge of Probate, Shelby County, Alabama, more particularly described as follows:

Commence at a 1" open pipe found at the southeast corner of the NW 1/4 of Section 36, Township 19 South, Range 3 West; thence run South 88 deg. 11 min. 45 sec. West for a distance of 130.02 feet to an iron pin found on the Easterly right of way line of State Highway #261 (Helena Road 80' ROW); thence North 09 deg. 52 min. 14 sec. East for a distance of 175.40 feet to an iron pin found at the Northwest corner of Lot 2, W. A. Jones Subdivision; thence continue along the last described course for a distance of 46.15 feet to an iron pin set and being the point of beginning of said parcel; thence continue along the last described course a distance of 33.08 feet to the point of a curve to the right, said curve having a radius of 241.24 feet and a central angle of 09 deg. 42 min. 25 sec.; thence along the arc of said curve and along the Easterly right of way line of State Highway #261 a distance of 241.24 feet, said arc being subtended by a chord which bears North 14 deg. 43 min. 27 sec. East and a chord distance of 240.95 feet to an iron pin set; thence South 03 deg. 00 min. 10 sec. East and leaving said Easterly right of way line a distance of 287.93 feet to an iron pin set; thence North 75 deg. 02 min. 24 sec. West and run a distance of 84.76 feet to an iron pin set and to the point of beginning.

W A J

## Exhibit B

A 10' sanitary sewer easement for existing sewer lines and the maintenance thereof, situated in the NW 1/4 of the SW 1/4 of Section 36, Township 19 South, Range 3 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the NW corner of Lot 1 of W. A. Jones Subdivision, as recorded in the Probate Office of Shelby County, Alabama, said point also being the Point of Beginning of a 10 foot sanitary sewer easement lying 10 feet east and parallel to described line; thence North 9 deg. 52 min. 14 sec. East along the Easterly right of way of Alabama Highway 261 for a distance of 79.23 feet to a point of curve to the right having a central angle of 9 deg. 42 min. 25 sec. and a radius of 1423.94 feet; thence along the arc of said curve and along said right of way a distance of 241.24 feet to the end of said easement. Being situated in Shelby County, Alabama.

WAS

Inst # 2001-48296

09/07/2001-48296  
01:16 PM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE  
004 MEL 21.00

Inst # 2001-38749

09/07/2001-38749  
03:43 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
004 MSB 70.00