State of plabama Shelby County...)

KNOW ALL MEN BY THESE PRESENTS: That, for and in consideration of the sum of One dollar and other valuable considerations to the undersigned George L.Scott in hand paid by Alabama Carbon Dioxide Ice, Inc., a corporation, receipt whereof is hereby acknowledged, and in further consideration of mutual promises, covenants, obligations, undertakings and agreements to be kept and performed by said Alabama Carbon Dioxide Ice, Inc., all of which are simultaneously made herewith, and are set forth and expressed inthat certain Indenture of even date herewith between George L.Scott and wife of the one part, and Alabama Carbon Dioxide Ice, Inc., of the other part, we, the said George L. Scott and wife, Annie W.Scott, do hereby grant, bargain, sell and convey unto the said Alabama Carbon Dioxide Ice, Inc., the following described real estate, rights, easements, right of ways and privileges located and situated in Shelby County, Alabama, to-wit:

That certain parcel of land described as follows, viz:

Beginning at the Northeast corner of Sec. 35, Township 20 South, Range 3 West; thence South along the East boundary of Section 35, 3960 feet to a point, said point being the North line of the Southeast quarter of the Southeast quarter (SE\frac{1}{4}) of Section 35; thence West along the said Quarter Section line 1760 feet to a point 8 feet West of the center line of side track No. 65-B of the Louisville & Nashville Rail-road Company; thence in a southerly direction 8 feet West of and parallel to said side track 150 feet, more or less, to a point, said point being hereinafter referred to as point of beginning; thence South 200 feet to a point; thence West 235 feet to a point; thence North 200 feet to a point; thence East 165 feet to point of beginning, containing 0.92 acres, more or less.

All of the above described property being situated in the Southwest quarter of the Southeast quarter ( $SW_{4}^{1}$  of  $SE_{4}^{2}$ ) of Section 35, Township 20, South, Range 3 West; and,

The right and privilege to capture, take and transport to the manufacturing plant erected on said above described parcel of land any and all of the exhaust or waste gases produced by or in the operation of the said three (3) lime kilns of the grantor, and to use the said gases in the manufacture of liquid or solid carbon dioxide and other products; and the right and privilege to erect, lay, install, maintain, use and operate all such pipes, machinery and equipment as grantee deems necessary or convenient to capture said gases and transport the same from the said lime kilns to said manufacturing plant of grantee on said above described parcel of land; and,

The right, easement and privilege to use in common with the grantor, his heirs, lesseles, tenants, agents, servants, and assigns, water from the quarries of the grantor and from the well both situated on grantor's land adjoining the herein above described parcel of land, and from Buck Creek.which flows through or alongside grantor's land, including the right to construct, erect, lay, maintain, use and operate all pumps, pipes, pipe lines and equipment deemed by the grantee necessary or convenient for capturing, pumping and transporting such water from such quarries, well and creek, or any of said places to said manufacturing plant on said hereinbefore described parcel of land; and also the right and privilege to dig, bore, drill or otherwise sink a well or wells on or on the adjoining lands owned by the grantor, to take and use the water from such well or wells and to construct, erect, lay, maintain, use and operate all pumps, pipes, pipe lines and equipment deemed by the grantee necessary or convenient, and incidental for transporting or conveying the water from such well or wells to grantee's said manufacturing plant on said hereinabove described parcel of land. The right and privilege hereby conveyed to grantee to take and use water from grantor's quarries, well and creek is and shall be and remain subject and subordinate to the right of the grantoro his heirs and assigns, to take and use such water, or so much thereof as is necessary in grantor's operation of his lime manufacturling plant and quarries; and, the right in common with grantor, hishheirs and assigns, to

use the railroad spur track on which the hereinabove described parcel of land abuts, in

the right of way and easement in common with grantor, his

receiving and forwarding freight and shipping the products of grantee; and,

heirs and assigns and his and their lessees, tenants, agents, servants and successors, in, over and along that certain private road now existing over grantor's land from grantor's lime kilns to the public highway known as the Birmingham and Montgomery Highway, and along and over a strip of grantor's land twenty feet wide extending from said private road to the hereinabove described parcel of land with the right in grantee, its successors, assigns, and its or their agents and servants, to use and travel along said private road and strip of land on foot or with or in automobiles, trucks, wagons, or other similar vehicles.

TO HAVE AND TO HOLD the said above described land, rights, privileges, right of ways and easements, unto the said alabama Carbon Dioxide Ice, Inc., its successors and assigns, upon and subject to the conditions hereinafter set forth and the conditions and stipulations set forth and expressed in that certain Indenture in writing executed gimultaneously herewith by the grantor and the grantee, to which reference is hereby made and the same made a part of this deed of conveyance.

The above described real property, rights, privileges, right of ways and easements are granted and conveyed for the uses and purposes and upon the conditions herein and in said Indenture of even date set forth, and uponcondition that if said land hereby conveyed shall cease to be used by grantee, its assigns or successors, as a site for a manufacturing plant to be erected, maintained and operated thereon by the grantee, its assigns and successors, for the manufacture of liquid or solid carbon diaxide and other products from the waste gases from the three (3) lime kilns of the grantor situated on the lands of the grantor adjoining the parcel of land hereinbefore described and herein conveyed, as stipulated, provided, set forth and expressed in that certain Indenture in writing executed simultaneously herewith by the grantor and the grantee, thereupon the grantor shall have the right of re-entry, which right of re-entry shall extend to the grantor, his agents, lessees, heirs, assigns on successors, and the title to said property hereby conveyed shall in such event revert to and revest in the grantor, his heirs or assigns.

In witness whereof, we have hereunto set our hands and seals, this 22nd day of June, 1937

Geo.L. Scott, Sr. (SEAL)
Annie W. Scott (SEAL)

State of Alabama) County of Shelby)

I, C. V. Moore, a Notary Public in and for said County, insaid State, hereby certify that George 1. Scott and wife Annie W. Scott, whose names are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day, that being informed of the contents of the conveyance, they executed the same voluntarily on the day the same bears date.

Given under my hand this 22nd day of June 1937.

C. V. Moore, Notary Public

State of Alabama, County of Shelby)

I, C V Moore, a Notary Public in and for said County in said State, do hereby certify that on the 22nd day of June 1937, came before me the within named Annie W Scott, known to me to be the wife of the within named George L.Scott, who being examined separate and apart from the husband, touching her signature to the within conveyance, acknowledged that she signed the same of her own free will and accord and without fear, constraint or threats on the part of her husband.

In witness whereof, I hereunto set my hand this the 22nd day of June, 1937

C.V.Moore. Notary Public

Filed for record in this office April 12th 1938 at 8 AM and recorded in deed record 104 page 401, and examined. L. C. Walker, Judge of Probate.

STATE OF ALABAMA
SHELBY COUNTY
I hereby cortify that
Sheen paid on the within
Instrument as required by
Iaw.
L. C. WALKER,
JUDGE OF PROBATE