

This instrument was prepared by:

R. M. Montgomery

528 North 20th. Street

Birmingham, Alabama 35201

STATE OF ALABAMA)

)
SHELBY COUNTY))

KNOW ALL MEN BY THESE PRESENTS, That in consideration of Sixty Five Thousand, One Hundred Thirty Eight and 40/100 Dollars (\$65,138.40) to the undersigned grantor in hand paid by the Grantee herein, the receipt whereof is acknowledged, I, K. E. Cooper, as Trustee under trust hereinafter described (herein referred to as Grantor) do grant, bargain, sell and convey unto Modern Handling Systems, Inc., a corporation, (herein referred to as Grantee) its successor and assigns together with every contingent remainder and right of reversion, the following described real estate situated in Shelby County, Alabama, to-wit:

A parcel of land a portion of which is situated in the NE $\frac{1}{4}$ of Section 14 and the remainder in the NW $\frac{1}{4}$ of Section 13, both in Township 20 South, Range 3 West and described as follows:

Begin at the Northeast corner of said Section 14 and go South 1 degree 16 minutes East and along the East side of said Section 14, 143.54 feet to an iron marker set on the South bank of Cahaba Valley Creek and marked point "B" on map for point of beginning. From said point "B" this creek extends Westward and Southward approximately parallel to and 35.0 feet to the right of the following random line, North 79 degrees 56 minutes West 305.72 feet, North 86 degrees 25 minutes West, 147.06 feet, North 54 degrees 21 minutes West 125.00 feet, South 23 degrees 56 minutes East, 149.60 feet, South 27 degrees 32 minutes East 352.20 feet, South 43 degrees 18 minutes West, 127.95 feet, North 86 degrees 57 minutes West, 136.38 feet, North 71 degrees 32 minutes West, 195.75 feet, North 80 degrees 46 minutes West, 155.17 feet, South 30 degrees 56 minutes, West 252.96 feet, South 36 degrees 59 minutes East, 222.27 feet, South 19 degrees 53 minutes West, 147.56 Feet, South 29 degrees 50 minutes West, 318.40 feet, South 33 degrees 15 minutes West, 68.58 feet, South 17 degrees 26 minutes West, 118.80 feet, South 14 degrees 25 minutes West 147.96 feet, South 67 degrees 04 minutes West, 101.25 feet to an iron marker set on the Southeast bank of said creek and marked "S" on map; thence from point "B" go North 1 degree 16 minutes West about 35.0 feet to center of said creek and proceed Westward and Southward along this center line of creek to a point North 89 degrees 44 minutes West, about 35.0 feet from said point "S"; thence South 89 degrees 44 minutes East 35.0 feet to point "S"; thence South 89 degrees 44 minutes East, 1171.35 feet, North 81 degrees 35 $\frac{1}{2}$ minutes East, 157.80 feet, North 84 degrees 25 minutes East, 90.80 feet, North 12 degrees 20 minutes East 427.70 feet, North 27 degrees 56 minutes East, 268.84 feet, North 28 degrees 42 minutes East, 245.41 feet, North 45 degrees 01 minute East, 77.68 feet, North 89 degrees 42 minutes West, 500.49 feet, North 1 degree 11 minutes West, 521.79 feet to point of beginning, containing 38.552 acres, according to a survey made by Floyd Atkinson, Registered Surveyor, on the 11th. day of October, 1970.

Said property is conveyed subject to Ad Valorem Taxes due October 1st. next and excepting existing road and power line rights of way.

It is intended hereby to convey by this deed to Modern Handling Systems, Inc., all lands owned by the undersigned in his capacity as such Trustee, located in Sections 13 and 14 in Township 20, Range 3 West in Shelby County, Alabama.

TO HAVE AND TO HOLD to the said Grantee Modern Handling Systems, Inc., a corporation, its successors and assigns forever, together with every contingent remainder and right of reversion.

And I do for myself and for my successors in trust and assigns, covenant with the said Grantee, its successors and assigns, that I am lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that I have a good right to sell and convey the same as aforesaid; that I will and my successors in trust and assigns shall warrant and defend the same to the said Grantee its successors and assigns forever, against the lawful claims of all persons.

The undersigned K. E. Cooper as such Trustee acquired title to said property by deed from J. M. C. Johnson and wife dated November 2, 1931, recorded in the Probate Office of Shelby County, Alabama in deed book 93, at page 54, but in trust for the use and benefit of W. E. Richardson for an undivided one-fourth interest; Paul Lanier for an undivided one-fourth interest; L. J. Gebhard for an undivided one-fourth interest; and K. E. Cooper, individually, for an undivided one-fourth interest. K. E. Cooper still retains and now owns his undivided one-fourth interest; each of the other beneficiaries sold their undivided interests, which undivided interests subsequently devolved to others, so that at the present time the trust beneficiaries under trust declaration recorded in deed bood 263, at page 851 are as follows:

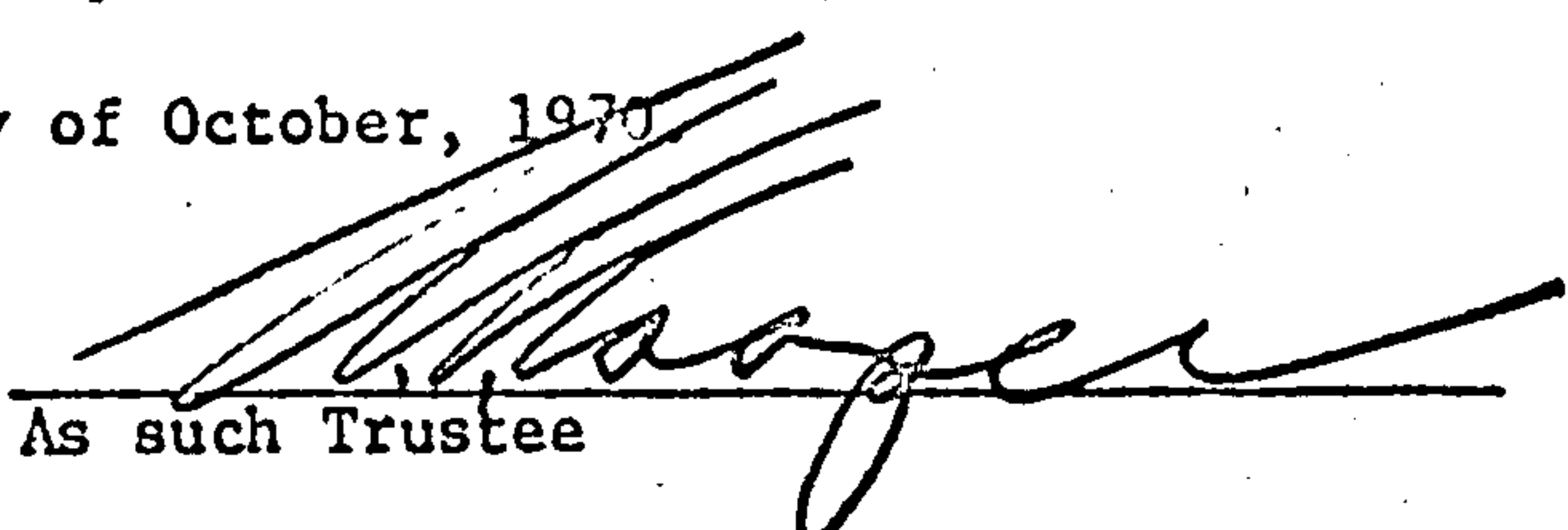
- (a) K. E. Cooper owns an undivided one-fourth interest;
- (b) Estate of A. C. Montgomery, deceased, of which estate his widow, Ruby M. Montgomery, is the Executrix, owns an undivided one-half interest;
- (c) Briarwood Educational Foundation owns an undivided one-fourth interest.

Said consideration (viz. \$65,138.40) is to be paid as follows:
The sum of \$15,000. to be paid in cash at the time of delivery of this deed, one-fourth of which cash payment will be distributed to Briarwood Educational Foundation, one-fourth thereof will be distributed to K. E. Cooper, in his individual capacity, and one-half thereof will be distributed to Ruby M. Montgomery in her capacity as Executrix of the Estate of A. C. Montgomery, deceased. The balance of the purchase price (viz. \$50,138.40) will be paid in the form of purchase money notes and mortgage as follows:

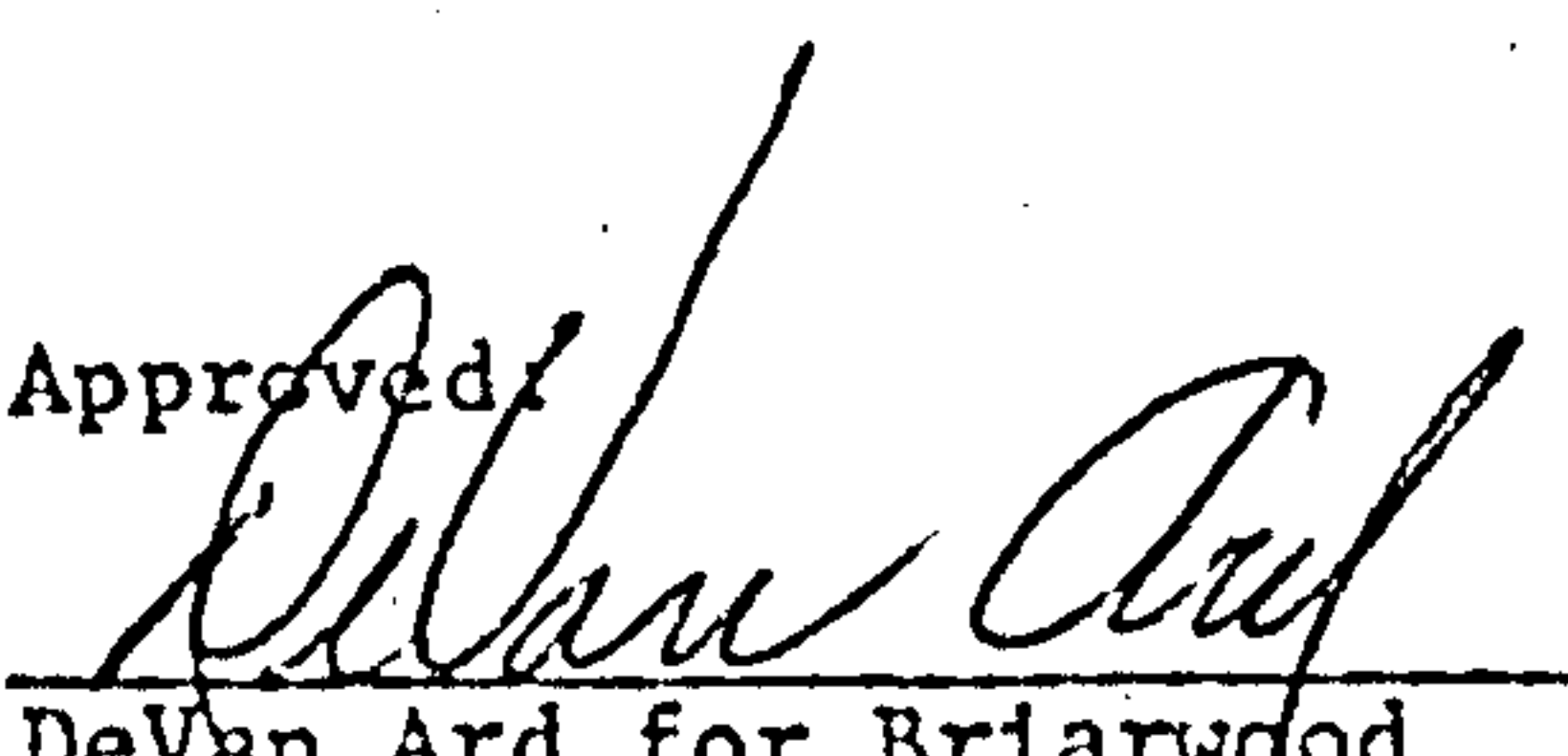
- (a) Two notes payable to K. E. Cooper, individually in the principal amount of \$6,267.30 each, due one on October 30, 1971, and one due October 30, 1972.
- (b) Two notes payable to Briarwood Educational Foundation in the principal amount of \$6,267.30 each, due one on October 30, 1971, and one due October 30, 1972.
- (c) Two notes payable to Ruby M. Montgomery as Executrix of the Estate of A. C. Montgomery, deceased, in the principal amount of \$12,534.60 each, due one on October 30, 1971 and one due October 30, 1972.

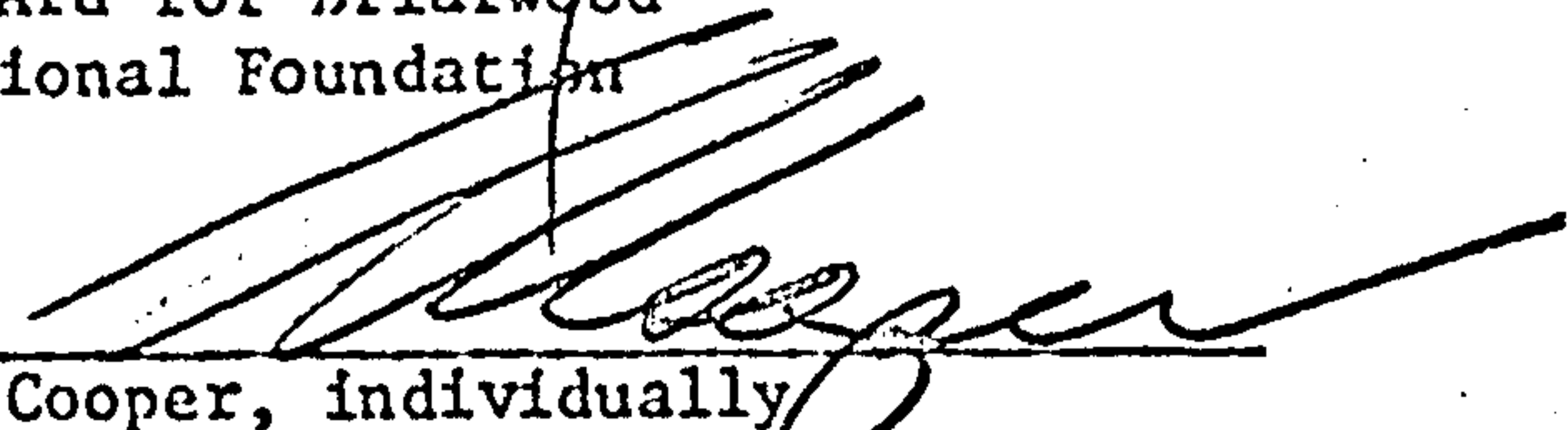
Each of said six notes bears interest from date thereof at the rate of eight per centum (8%) per annum payable at maturity of said notes respectively, and each note is without priority or preference of one over another.

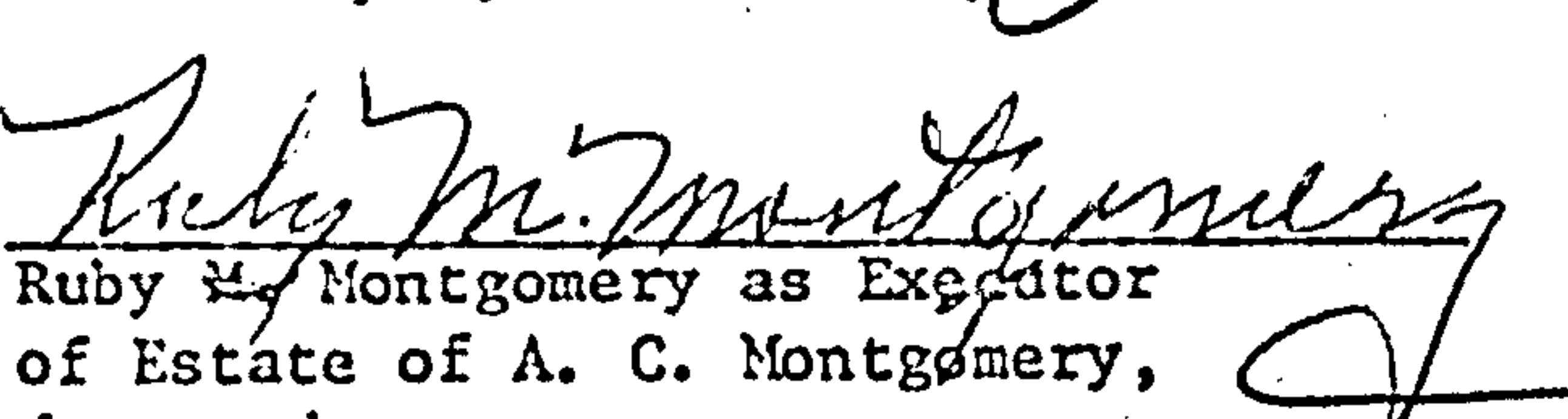
IN WITNESS WHEREOF, I, K. E. Cooper as such Trustee, have hereunto set my hand and seal this the 31st day of October, 1970.


As such Trustee

Approved:


DeVan Ard for Briarwood
Educational Foundation


K. E. Cooper, individually


Ruby M. Montgomery as Executor
of Estate of A. C. Montgomery,
deceased.

STATE OF ALABAMA)

COUNTY OF

I, a Notary Public in and for said County, in said State, hereby certify that K. E. Cooper, whose name as such Trustee 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 Trustee executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 2nd day of November, 1970.

Louise Hall
Notary Public

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED
11:15 AM
1970 NOV -3 PM 2:05
U.C.C. FILE NUMBER OR
REC. BK. & PAGE AS SHOWN ABOVE
Camey M. Brubaker
JUDGE OF PROBATE