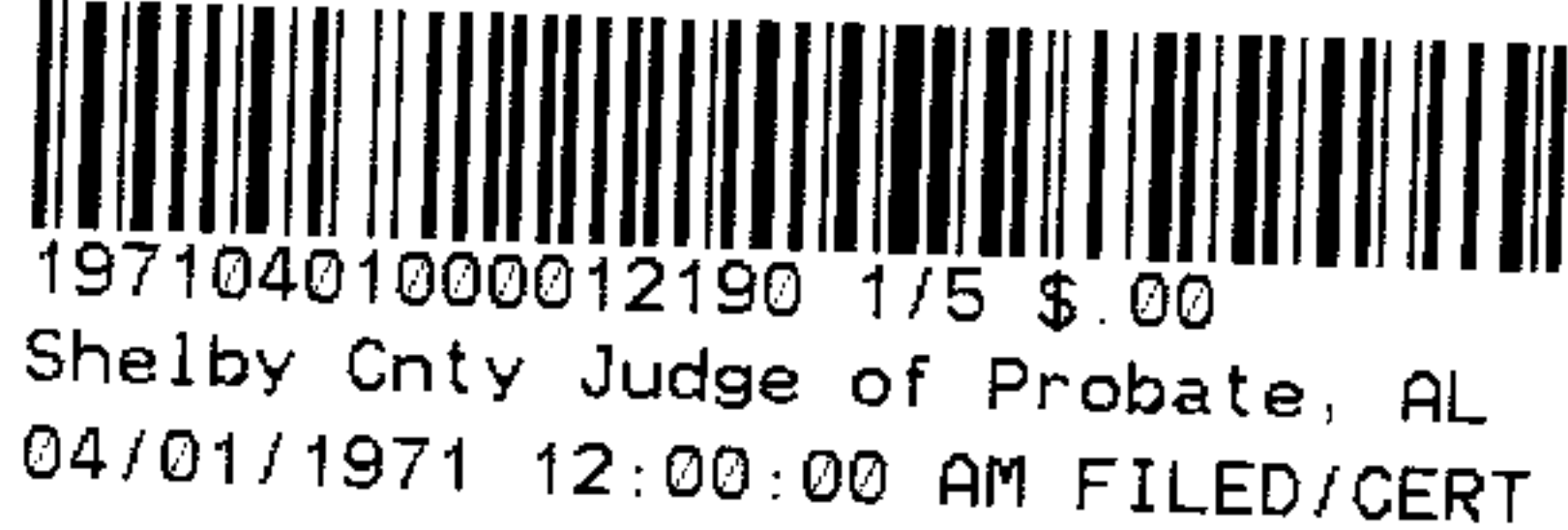


2355

WARRANTY DEED

STATE OF ALABAMA)

SHELBY COUNTY)



KNOW ALL MEN BY THESE PRESENTS: That for and in consideration of NINETY-ONE THOUSAND EIGHT HUNDRED AND NO/100 DOLLARS and the execution of a purchase money mortgage of even date herewith in the principal amount of \$178,200.00 to the undersigned grantors in hand paid and given by the grantee herein, the receipt whereof is acknowledged, we, E. A. FULMER and MARY ELIZABETH FULMER, his wife, R. L. FULMER and IRMA A. FULMER, his wife (herein called "grantors"), grant, bargain, sell and convey unto FLETCHER PROPERTIES OF ALABAMA, INC., an Alabama corporation (herein called "grantee"), the following described real estate, situated in Shelby County, Alabama, to-wit:

1. The East 1/2 of the NW 1/4 and the SW 1/4 of the NW 1/4 of Section 2, Township 19 South, Range 2 West, Shelby County, Alabama.
2. All coal and other minerals in, under and upon the NW 1/4 of the NW 1/4 Section 2, Township 19 South, Range 2 West, Shelby County, Alabama, together with all mining rights and privileges, as conveyed by Tennessee Coal, Iron & Railroad Company to E. A. and R. L. Fulmer by deed dated February 11, 1946.
3. Surface rights in the Southeast diagonal 1/2 of the West 1/2 of the SE 1/4 of Section 35, Township 18 South, Range 2 West, Shelby County, Alabama, and certain mineral and mining rights in the coal in the Water Works Seam, and above, in said Southeast diagonal 1/2 of the West 1/2 of the SE 1/4 of said Section, and in the SE 1/4 of the SE 1/4 of said Section 35, as conveyed by Tennessee Coal, Iron & Railroad Company to R. L. and G. W. Fulmer by deed dated September 1, 1944.

4. The mineral and mining rights in the South 1/2, the South 1/2 of the NE 1/4, and the NW 1/4 of the NE 1/4 of Section 2, Township 19 South, Range 2 West, Shelby County, Alabama, as conveyed to E. A. and R. L. Fulmer by deed from The First National Bank of Birmingham, as Trustee under the Last Will and Testament of Harvey G. Woodward, Deceased.

5. Surface rights and certain mineral and mining rights (deed from TCI dated 9/1/44) in the following parcels of land situated in the NE 1/4 of the SE 1/4, Section 35, Township 18 South, Range 2 West, Shelby County, Alabama, to-wit:

Commence at the southwest corner of said NE 1/4 of the SE 1/4 and run northerly a distance of 1341.1 feet along the westerly boundary of said 1/4-1/4 section to the northwest corner thereof; thence turn 136°5' right and run southeasterly a distance of 417.9 feet; thence turn 77°46' right and run southwesterly a distance of 358.4 feet; thence turn 77°46' left and run southeasterly a distance of 85.9 feet; thence turn 45°46' right and run southerly a distance of 685.1 feet; thence turn 90° right and run westerly a distance of 128 feet to the point of beginning.

Commence at the southwest corner of said NE 1/4 of the SE 1/4 and proceed along the southerly boundary of said 1/4-1/4 section in an easterly direction a distance of 460.5 feet to the point of beginning: Run on the same course in an easterly direction a distance of 363.3 feet; thence turn 45°53' left and run northeasterly a distance of 81.5 feet; thence turn 113°07' left and run northwesterly a distance of 444.6 feet; thence turn 111° left and run southerly a distance of 217.8 feet to the point of beginning.

6. Mineral and mining rights in the NE 1/4 of the NE 1/4 of Section 2, Township 19 South, Range 2 West, Shelby County, Alabama, as conveyed to E. A., G. W. and R. L. Fulmer by deed from D. E. Wilson.



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7. All mineral and mining rights in coal in the Water Works Seam, and above, in that part of the Southwest diagonal 1/2 of the NE 1/4 of SE 1/4 of Section 35, Township 18 South, Range 2 West, Shelby County, Alabama, more particularly described as follows:

Begin at the northwest corner of said NE 1/4 of SE 1/4 and run Southeasterly along the diagonal line running from the northwest corner to the Southeast corner of said NE 1/4 of SE 1/4 for a distance of 417.9 feet to the point of beginning of the tract here described, thence turn an angle of $77^{\circ}46'$ to the right and run southwesterly 358.4 feet; thence turn $77^{\circ}46'$ left and run southeasterly 85.9 feet; thence turn $45^{\circ}46'$ right and run south 685.1 feet to the south line of said NE 1/4 of SE 1/4; thence run East along said south line 332.5 feet; thence turn 90° to the left and run north 217.8 feet; thence turn an angle of 111° to the right and run southeastwardly 151.2 feet; thence turn an angle of 79° to the left and run northeasterly 402.7 feet to a point on said diagonal line; thence run northwesterly along said diagonal line 779.8 feet to the point of beginning.

8. Surface rights and certain mineral and mining rights (deed from TCI dated 9/1/44) in the following parcel of land situated in the NE 1/4 of the SE 1/4, Section 35, Township 18 South, Range 2 West, Shelby County, Alabama, to-wit:

Commence at the Southwest corner of said NE 1/4 of the SE 1/4 and proceed in an easterly direction along the southerly boundary of said 1/4-1/4 section a distance of 823.8 feet, turn $45^{\circ}51'$ left and run northeasterly a distance of 81.5 feet to the point of beginning: Run on the same course a distance of 277.8 feet; thence turn $89^{\circ}53'$ left and run northwesterly a distance of 354.3 feet; thence turn $102^{\circ}14'$ left and run southwesterly a distance of 402.7 feet; thence turn 101° left and run southeasterly a distance of 293.4 feet to the point of beginning.



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9. Surface rights and certain mineral and mining rights (deed from TCI dated 9/1/44) in the following parcel of land situated in the NE 1/4 of the SE 1/4, Section 35, Township 18 South, Range 2 West, Shelby County, Alabama, to-wit:

Commence at the southwest corner of said NE 1/4 of the SE 1/4 and proceed in an easterly direction along the southerly boundary of said 1/4-1/4 section a distance of 823.8 feet to the point of beginning: Run easterly along the same course a distance of 515 feet to the southeast corner of said 1/4-1/4 section; thence turn 135° 46' left and run northwesterly a distance of 369.7 feet; thence turn 90° 07' left and run southwesterly a distance of 365 feet, more or less, to the point of beginning.

The above described property is subject to the following exception, liens and encumbrances:

- a. Easements of record heretofore granted for roads and to public utilities including without limitation those easements hereinafter described.
- b. Taxes due and payable October 1, 1971.
- c. Easement to Alabama Power Company recorded in Deed Book 219, Page 593 in the Probate Court of Shelby County, Alabama.
- d. Easement to Alabama Power Company recorded in Deed Book 141, Page 298, and in Deed Book 145, Page 387 in the Probate Court of Shelby County, Alabama.

TO HAVE AND TO HOLD to the said grantee, its successors and assigns forever.

And we do for ourselves and for our heirs, executors, and administrators covenant with the said grantee, its successors and assigns, that we are lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that we have a good right to sell and convey the same as aforesaid; that we will and our heirs, executors and administrators shall warrant and defend the same to the said grantee, its successors and assigns forever, against the lawful claims of all persons.

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IN WITNESS WHEREOF, the grantors have hereunto
set their hands and seals, this 1st day of April,
1971.

E. A. Fulmer (SEAL)
E. A. Fulmer

Mary Elizabeth Fulmer (SEAL)
Mary Elizabeth Fulmer

R. L. Fulmer (SEAL)
R. L. Fulmer

Irma A. Fulmer (SEAL)
Irma A. Fulmer



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STATE OF ALABAMA

COUNTY OF Jefferson

I, Dorothy Bowie, a Notary Public
in and for said County in said State, hereby certify
that E. A. Fulmer and Mary Elizabeth Fulmer, his wife,
R. L. Fulmer and Irma A. Fulmer, his wife, 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 and official seal this 1st
day of April, 1971.

Dorothy Bowie
Notary Public

STATE OF ALABAMA SHELBY CO.
NOTARY PUBLIC
I HEREBY CERTIFY THIS
INSTRUMENT WAS FILED
See my 316-921
1971 APR 1 PM 3:01
U.C.C. FILE NUMBER OF
REC. BK. & PAGE AS SHOWN
Dorothy Bowie
JUDGE OF PROBATE