


LIMITED WARRANTY DEED

STATE OF ALABAMA)
SHELBY COUNTY)

1064

19721114000056740 1/3 \$.00
Shelby Cnty Judge of Probate, AL
11/14/1972 12 00:00 AM FILED/CERT

KNOW ALL MEN BY THESE PRESENTS, that Burgess Mining and Construction Corporation, an Alabama corporation, (hereinafter called "Grantor") for and in consideration of Ten Dollars (\$10.00) and other valuable considerations to it in hand paid by A. E. Burgess (hereinafter called "Grantee"), the receipt whereof is hereby acknowledged, has granted, bargained, sold and conveyed and by these presents does grant, bargain, sell and convey, subject to all the terms, covenants, reservations, conditions, and limitations hereinafter contained, to the said Grantee, his heirs, successors, administrators and assigns, the following described real property situated in Township 21 South, Range 5 West in the County of Shelby, State of Alabama, and more particularly described as follows:

Fee Simple

Section 11

The $W\frac{1}{2}$ of the $SE\frac{1}{4}$ of the $NE\frac{1}{4}$

Together with all and singular the hereditaments and appurtenances thereunto belonging or in anywise appertaining.

SUBJECT TO all easements, covenants, reservations, restrictions, limitations and conditions of record and those that are visible upon the premises but not of record; zoning ordinances, if any; public highways; and all taxes and assessments, if any due and payable after date hereof, which taxes and assessments the Grantee, by acceptance hereof, agrees to assume and pay.

This conveyance is made on the express condition that the Grantee for himself and on behalf of his heirs, successors, administrators, assigns, contractors, permittees, licensees, and lessees



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by the acceptance hereof, releases and forever discharges Grantor, its successors and assigns, from any and all liability, claims and causes of action whether arising at law (by contract or in tort) or in equity in connection with Grantor's past use or the condition of the premises and the past, present or future use and/or the condition of adjacent and nearby lands owned or controlled by it with respect to industrial, mining, mine waste disposal and quarrying operations be conducted by Grantor, or by Grantor's precacessors in title, successors, assigns, grantees, licensees, contractors, permittees and lessees.

TO HAVE AND TO HOLD the above granted property to said Grantee, his heirs, successors, administrators and assigns, forever.

AND the Grantor, for itself, its successors and assigns, does hereby covenant with the said Grantee, his heirs, successors, administrators, and assigns, that the property described above is free and clear from all encumbrances whatsoever, created by, from, through or under the Grantor except as stated above, and that said Grantor will forever WARRANT AND DEFEND the same with the appurtenances thereunto belonging, unto the said Grantee, his heirs, successors, administrators, and assigns, against all lawful claims of all persons, claiming by, from through or under the Grantor herein, except as stated above.

IN WITNESS WHEREOF, Burgess Mining and Construction Corporation has executed these presents by officers thereunto duly authorized this 9th day of August, 1972.

BURGESS MINING AND CONSTRUCTION CORP.

By Charles R. Burgess
President

Attest: William J. Davis
Secretary

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STATE OF ALABAMA)

COUNTY OF JEFFERSON)



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I, Raymond R. Lett, a Notary Public in and for
said County in said State, hereby certify that Charles R. Burgess
and W. J. Davis, whose names as President and Secretary, respectively
of Burgess Mining and Construction Corporation, a corporation,
are signed to the foregoing conveyance, and who are known to me and
who are known to me to be such President and Secretary ,
acknowledged before me on this day that, being informed of the
contents of the conveyance, they as such officers and with full
authority, executed the same voluntarily, for and as the act of
said corporation.

Given under my hand and seal of office this 9th day
of August, 1972.

Raymond R. Lett
Notary Public

My Commission Expires: July 24, 1972

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED
1972 NOV 14 PM 3:42
U.C.C. FILE NUMBER OR
REC. BK. & PAGE AS SHOWN ABOVE
Conservator
JUDGE OF PROBATE