

STATE OF ALABAMA )

SHELBY COUNTY )

AGREEMENT

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Shelby Cnty Judge of Probate, AL  
02/05/1980 12:00:00 AM FILED/CERT

Whereas, Martin Marietta Corporation (hereinafter called Purchaser) and Mabel Shirley Gibson, an unmarried woman, Ruth Shirley Gibson Howard and her husband, David B. Howard, ~~Jessie Elizabeth Gibson Whitcomb~~ and her husband, Howard M. Whitcomb (hereinafter called Sellers) entered into a sale contract (hereinafter called Contract), as of June 21, 1979, by which the Sellers agreed to sell to the Purchaser and the Purchaser agreed to buy the following described real estate situated in Shelby County, Alabama (hereinafter called Real Estate):

A parcel of land situated in the S.W. 1/4 of the S.W. 1/4, the S.E. 1/4 of the S.W. 1/4, the S.W. 1/4 of the S.E. 1/4, N.W. 1/4 of the S.W. 1/4 and the N.E. 1/4 of the S.W. 1/4 of Section 19, Township 22 South, Range 2 West, being more particularly described as follows:

Commence at the S.W. corner of Section 19, Township 22 South, Range 2 West and run South 89° 53' East along the south line of said section and along the Coffee-Freeman Base Line a distance of 621.91 feet to the point of beginning, said point also being known as McRee's Corner; thence North 22° 21' 15" east a distance of 218.35 feet to a point; thence North 18° 52' 30" east a distance of 344.43 feet to a point; thence North 27° 48' 30" east a distance of 359.83 feet to a point; thence North 19° 12' East a distance of 221.50 feet to a point; thence North 24° 35' East a distance of 117.80 feet to a point; thence South 73° 24' East a distance of 2200.08 feet to a point; thence South 34° 24' East a distance of 494.25 feet to a point; thence South 2° 56' West a distance of 21.82 feet to a point; thence South 71° 19' 30" West a distance of 65.63 feet to a point; thence North 84° 41' 45" West a distance of 91.11 feet to a point; thence South 31° 16' 45" West a distance of 61.59 feet to a point; thence South 73° 40' 30" West a distance of 82.72 feet to a point; thence South 16° 43' West a distance of 21.94 feet to a point on the Coffee-Freeman Base Line and a point on the South line of said Section 19; thence North 89° 53' West along the Coffee-Freeman Base Line and along the South line of said Section 19 a distance of 2599.91 feet to the point of beginning. Containing 49.52 acres (hereinafter called Real Estate).

CABANISS, JOHNSTON, GARDNER,  
DUMAS & O'NEAL

This sale by the Sellers to the Purchaser shall also include all minerals in, on and upon the Real Estate and all mineral rights in connection therewith.

Whereas, the Sellers had previously filed a bill to quiet title to the Real Estate, in the Circuit Court of Shelby County, Alabama, against certain people who claim an interest in the Real Estate (Mabel Shirley Gibson, Ruth Shirley Gibson Howard and Jessie Elizabeth Gibson Whitcomb v. William F. Denson, III, Zollie S. Cowart, III and Zollie S. Cowart, Jr., Civil Action CV 77-34, in the Circuit Court of Shelby County, Alabama) and said action was heard by the trial court and a judgment was rendered in favor of the Sellers, but the judgment was appealed to the Alabama Supreme Court by the defendants; and

Whereas, under the terms of the Contract the sale of the Real Estate was to be closed on or before December 21, 1979, "except that the Sellers shall have a reasonable length of time within which to perfect title or cure defects in the title to the Real Estate."; and

Whereas, the Sellers and the Purchaser have agreed to extend the time for the closing of the sale, as provided hereinafter.

Now, therefore, in consideration of the mutual agreements of the Sellers and the Purchaser, the Sellers and the Purchaser hereby agree as follows:

1. The Contract is hereby amended by deleting the thirteenth through the sixteenth lines on page 2 of the Contract and substituting the following language in lieu thereof: "The sale shall be closed and the deed delivered on or before December 22, 1980, except that the Sellers shall have a reasonable length of time thereafter within which to perfect the title to the Real Estate or to cure defects in the title to the Real Estate. In order".

2. The Contract is hereby amended by deleting the fourth line on page 3 of the Contract and substituting the

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following language in lieu thereof: "earlier than December 22, 1980. Posses-".

3. Except as specifically amended hereby, the Contract shall remain in full force and effect in accordance with its terms and conditions.

In witness whereof, the undersigned Mabel Shirley Gibson, Ruth Shirley Gibson Howard, David B. Howard, Jessie Elizabeth Gibson Whitcomb and Howard M. Whitcomb have executed this instrument and the undersigned Martin Marietta Corporation has caused this instrument to be executed by its duly authorized corporate officers, all as of the 31<sup>st</sup> day of December, 1979.

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BOOK 34 PAGE 693

Mabel Shirley Gibson (SEAL)  
Mabel Shirley Gibson  
Address: 2380 Chapel Road  
Bham Ala 35226

Ruth Shirley Gibson Howard (SEAL)  
Ruth Shirley Gibson Howard  
Address: 401 Rutledge Rd  
FWB Ala 35248

David B. Howard (SEAL)  
David B. Howard  
Address: Same as Shirley Howard

Jessie Elizabeth Gibson Whitcomb (SEAL)  
Jessie Elizabeth Gibson Whitcomb  
Address: 2380 Chapel Rd  
Bham Ala 35226

Howard M. Whitcomb (SEAL)  
Howard M. Whitcomb  
Address: 2380 Chapel Road  
Birmingham Al 35226

ATTEST:

James L. Kealy  
Its Asst. Secretary

Martin Marietta Corporation

By Bill Lee  
Its Vice President  
Address: Daniel Building  
15 South 20th Street  
Birmingham, Alabama 35233

STATE OF ALABAMA )

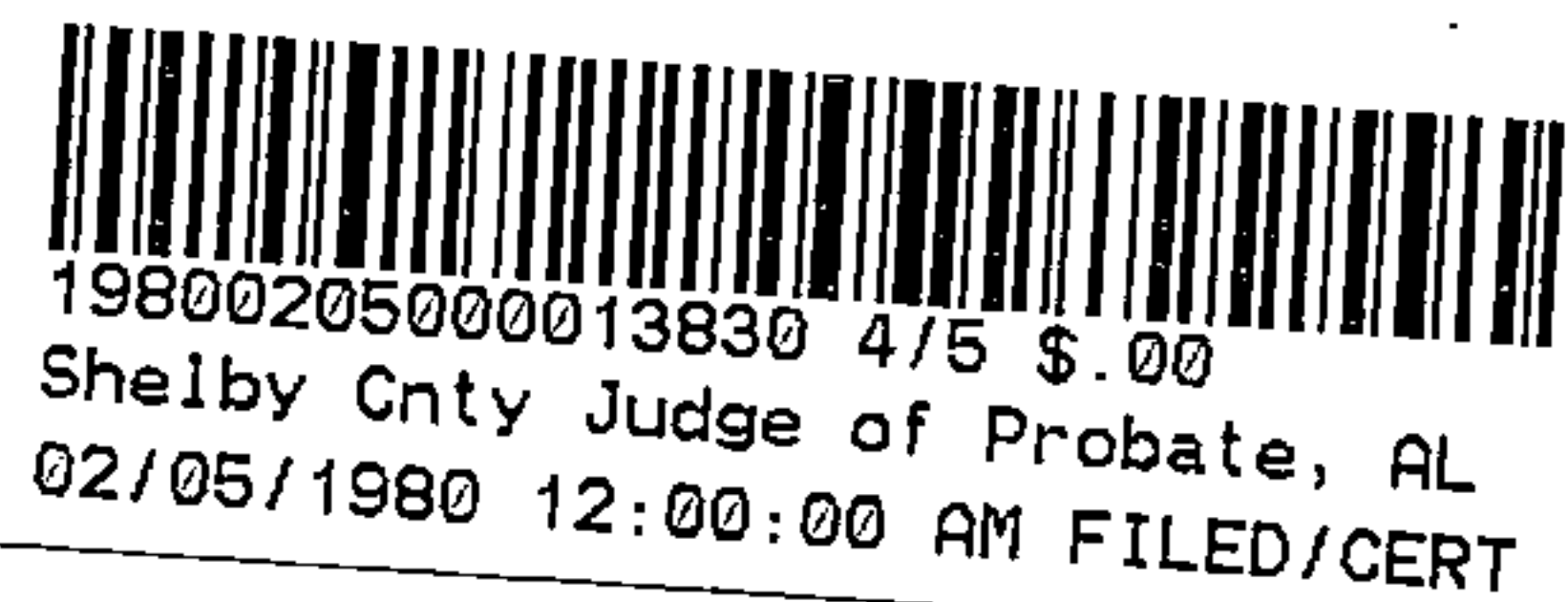
JEFFERSON COUNTY )

I, the undersigned Notary Public in and for said County in said State, hereby certify that Mabel Shirley Gibson, an unmarried woman, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, she executed the same voluntarily, on the day the same bears date.

Given under my hand and seal this the 31st day of December, 1979.

Gronne H. Smith  
Notary Public

My commission expires: 9-7-82



BOOK 34 PAGE 694

STATE OF FLORIDA )

OKALOOSA COUNTY )

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Ruth Shirley Gibson Howard and her husband, David B. Howard, whose names are signed to the foregoing instrument, and who are known to me, acknowledged before me on this day that, being informed of the contents of the instrument, they executed the same voluntarily, on the day the same bears date.

Given under my hand and seal this the 25 day of Dec, 1979.

John M. Howard  
Notary Public

My commission expires: 10-18-81



STATE OF ALABAMA )

JEFFERSON COUNTY )

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Jessie Elizabeth Gibson Whitcomb and her husband, Howard M. Whitcomb, whose names are signed to the foregoing instrument, and who are known to me, acknowledged before me on this day that, being informed of the contents of the instrument, they executed the same voluntarily, on the day the same bears date.

Given under my hand and seal this 31st day of

December, 1979.

Gronne H. Smith  
Notary Public

My commission expires: 9-7-81

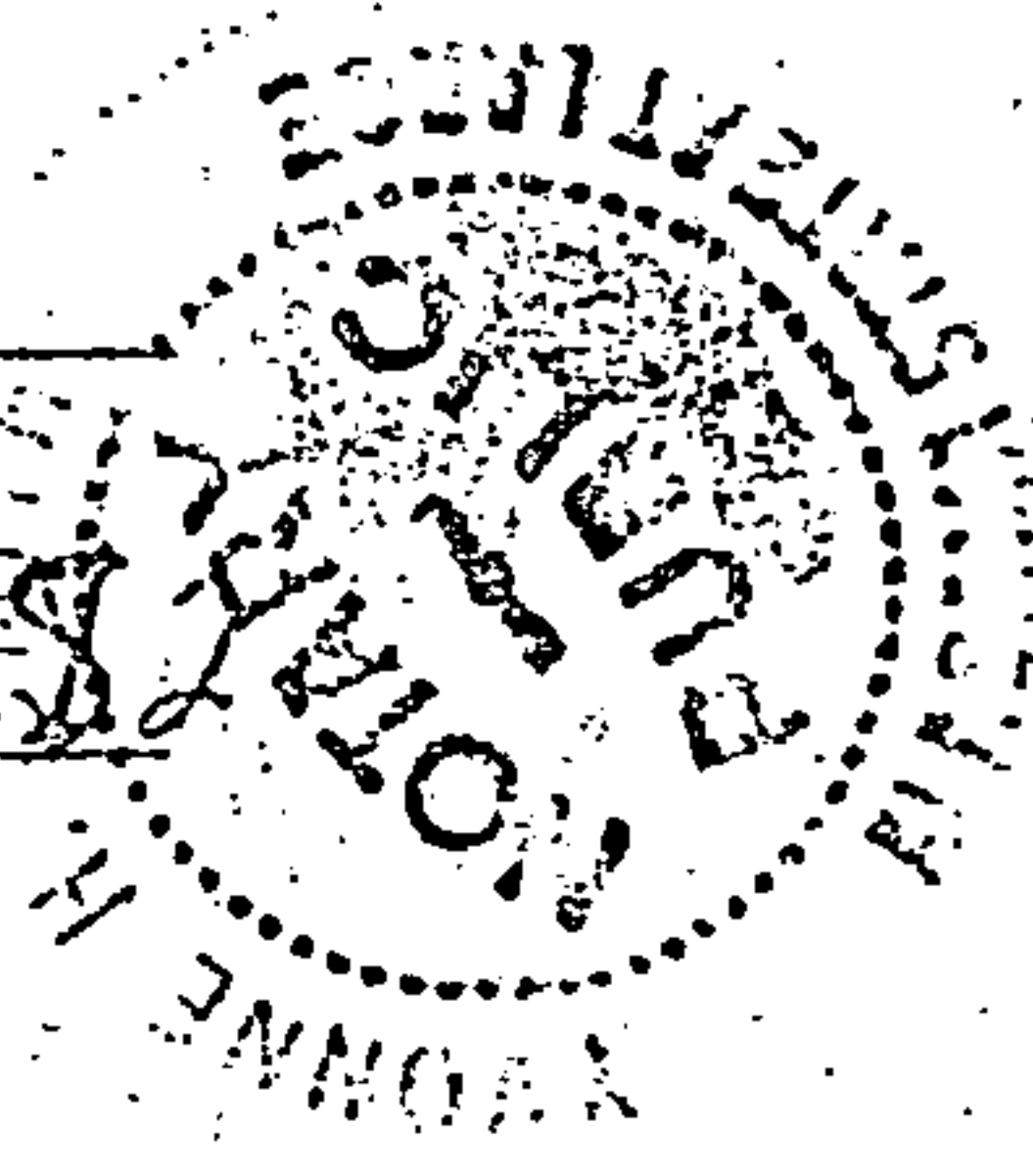
STATE OF ALA. SHELBY CO.  
1000

1980 FEB -5 AM 9:01

Rec. 900  
Ind. 100  
1800



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Shelby Cnty Judge of Probate, AL  
02/05/1980 12:00:00 AM FILED/CERT



STATE OF MARYLAND )

MONTGOMERY COUNTY )

I, the undersigned authority, in and for said County in said State, hereby certify that P. H. Vesdel, whose name as Vice President of Martin Marietta Corporation, a corporation, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

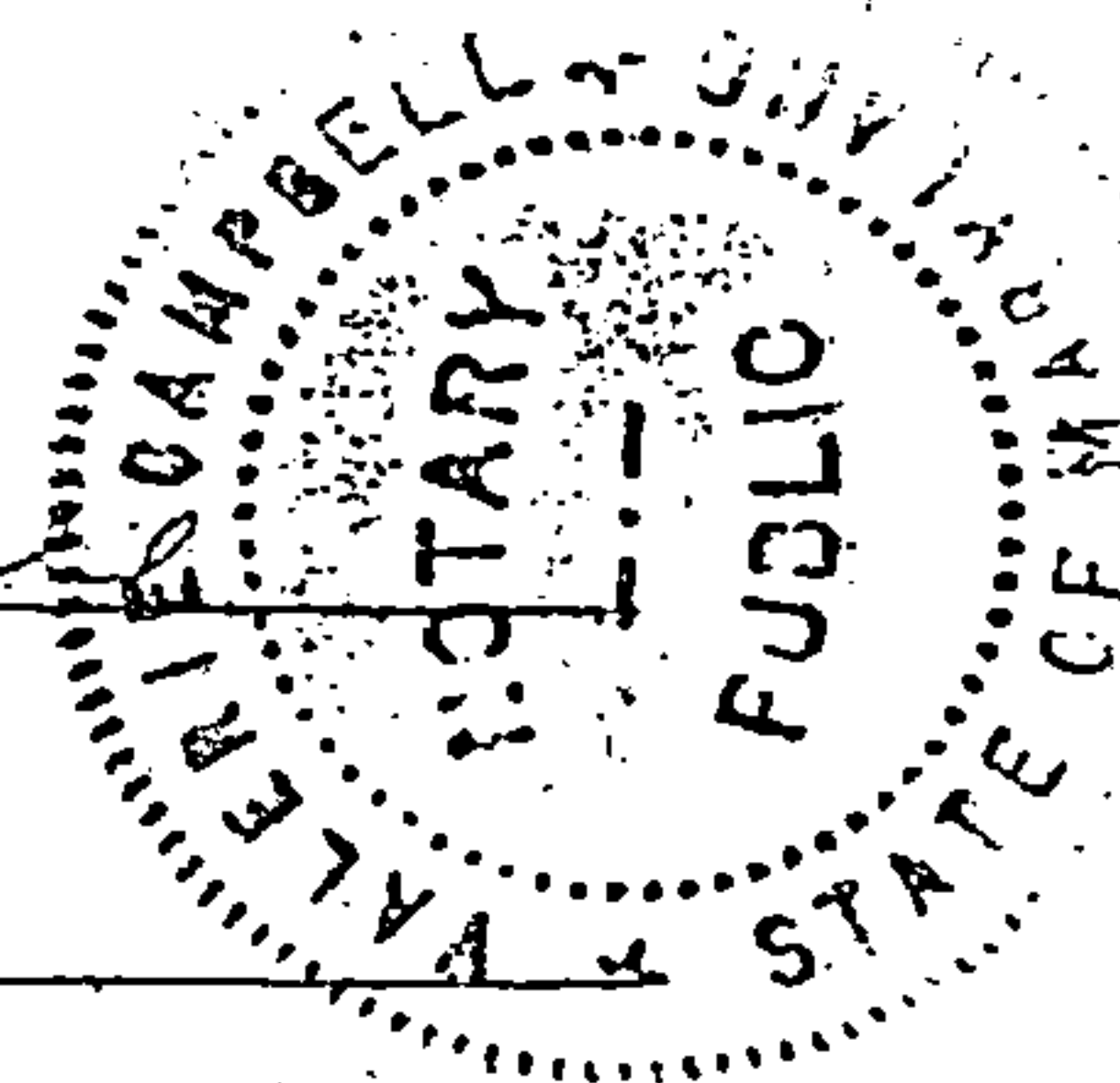
Given under my hand and seal, this 22 day of

January, 1980.

Valerie Campbell  
Notary Public

My commission expires: \_\_\_\_\_

VALERIE CAMPBELL  
NOTARY PUBLIC  
STATE OF MARYLAND  
Cert. Exp. 7/1/82  
Montgomery County



THIS INSTRUMENT PREPARED BY:  
FRANK C. GALLOWAY, JR.  
CABANISS, JOHNSTON, GARDNER, DUMAS AND O'NEAL  
1900 First National-Southern Natural Bldg.  
Birmingham, Alabama 35203

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