

STATE OF ALABAMA)

SHELBY COUNTY)

19810625000070070 Pg 1/2 .00
Shelby Cnty Judge of Probate, AL
06/25/1981 00:00:00 FILED/CERTIFIED

S-81-5

860
DEED

In consideration of five hundred forty thousand eight hundred sixty one and no/100 (\$540,861.00) paid to The Mead Corporation, a corporation, (hereinafter called Mead) by Mead Land Services, Inc., a corporation (hereinafter called MLS), the receipt of which Mead hereby acknowledges, Mead does hereby grant, bargain, sell and convey unto MLS the following described real estate, situated in Shelby County, Alabama (hereinafter called Real Estate):

A tract of land located in Sections 4, 5, and 9, all in Township 21 South, Range 2 West, Shelby County, Alabama, more particularly described as follows:

The Southeast Quarter of Section 5, Township 21 South, Range 2 West. MINERALS AND MINING RIGHTS EXCEPTED.

The Southwest Quarter, the West Half of the Southeast Quarter; the South Half of the Northeast Quarter of the Southeast Quarter; the North Half of the Southeast Quarter of the Southeast Quarter of Section 4, Township 21 South, Range 2 West.

The North Half of the Northwest Quarter; the east Half of the Southwest Quarter of the Northwest Quarter; the Southeast Quarter of the Northwest Quarter and the Northwest Quarter of the Northeast Quarter of Section 9, Township 21 South, Range 2 West.

This conveyance is made subject to: (1) real estate ad valorem taxes for the tax year ending September 30, 1981; (2) all restrictions, reservations, encroachments, rights, conditions, streets and roads (whether dedicated or undedicated), covenants, leases, rights of way and easements (whether the foregoing are recorded or unrecorded) which affect the Real Estate and, without limiting the foregoing, this conveyance is made subject to all existing electric power lines, telephone lines, gas lines and other pipelines and services lines of every nature, if any, which are now on, over or under the Real Estate, together with the rights to maintain, operate, use and make additions to or alterations in the same in the approximate places where now located; (3) all laws, ordinances, regulations, restrictions or orders of any federal, state, county or municipal government or of any public authority, including, without limitation, zoning and any other restrictions imposed by governmental authority, which affect the Real Estate; (4) all conditions which an accurate and complete survey would disclose; (5) title to minerals underlying the SE 1/4 of Section 5, Township 21 South, Range 2 West, and mining rights and privileges pertaining thereto, as excepted in the instruments recorded in the office of the Judge of Probate of Shelby County, Alabama in Deed Book 7, page 401 and Deed Book 12, page 188; (6) fifty-foot-wide right of way granted to Louisville and Nashville Railroad Company through the NW 1/4 of the SW 1/4 of Section 4, Township 21 South, Range 2 West and the SE 1/4 of Section 5, Township 21 South, Range 2 West, as shown by the deed recorded in the office of the Judge of Probate of Shelby County, Alabama in Deed Book 18, page 306.

BOOK 333 PAGE 621

ML
6-10-81

W. E. H. S.

All of the coal, gas, iron ore, limestone, oil and other minerals in and under the portion of the Real Estate located in Section 5, Township 21 South, Range 2 West, Shelby County, Alabama (hereinafter collectively called Minerals) and all mining rights necessary or incidental to the removal of the Minerals from such portion of the Real Estate, including the right to transport through such portion of the Real Estate coal, gas, iron ore, limestone, oil and other minerals from lands which adjoin such portion of the Real Estate, without using the surface of the Real Estate have been reserved by a prior owner of such portion of the Real Estate and this conveyance of such portion of the Real Estate is made subject to such reservation of Minerals and rights. No right of action for damages on account of injuries to such portion of the Real Estate or to any buildings, improvements, structures, pipelines, wells, water courses or other sources of water supply now or hereafter located on such portion of the Real Estate or to MLS or to other occupants or persons in or upon such portion of the Real Estate resulting from any past mining operations, or resulting from blasting, dewatering, or the removal by any party at any time heretofore of coal, gas, iron ore, oil, limestone or other minerals or coal, ore, or other mineral seam or other roof or surface supports, in or from such portion of the Real Estate or adjoining, adjacent or other lands shall ever accrue to, or be asserted by, MLS or by other occupants of the surface of such portion of the Real Estate, their successors or assigns, or by anyone else, the surface and surface rights in the Real Estate being hereby made expressly subject to all such injuries from past mining operations. The covenants herein contained and the rights and reservations referred to herein constitute covenants, rights and easements running with the land (such portion of the Real Estate) as against MLS and all persons, firms or corporations now or hereafter holding the surface or surface rights of such portion of the Real Estate.

To have and to hold to Mead Land Services, Inc., its successors and assigns forever.

In witness whereof, The Mead Corporation, by its Vice President R. B. Milliken, who is authorized to execute this conveyance, has hereto set its signature and seal, this the 16th day of June, 1981.

Attest:

The Mead Corporation

G. J. Maly, Jr.
Its Secretary

By R. B. Milliken
Its Vice President

STATE OF OHIO)

MONTGOMERY COUNTY)

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I, Kelly L. Haws, a Notary Public in and for said County, in said State, hereby certify that R. B. Milliken, whose name as Vice President of The Mead Corporation, a corporation, 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 officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal, this the 16th day of June, 1981.

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

Kelly L. Haws
Notary Public

NOTARY MUST AFFIX SEAL

KELLY L. HAWS, Notary Public
In and for the State of Ohio
My Commission Expires AUG. 30, 1984