

STATE OF ALABAMA )  
COUNTY OF SHELBY )

OPTION TO PURCHASE <sup>743</sup>

For and in consideration of the purchase by D. E. Hearn and Vivian Joy Hearn from Mark H. Acton, Jr. and wife, Minnie Lee Acton, of the property described on the attached sheet, Mark H. Acton, Jr. and wife, Minnie Lee Acton, do hereby grant to D. E. Hearn and Vivian Joy Hearn an option to purchase that certain lot which is known as Lot 2, which lies to the east of and contiguous to the property described on the attached sheet and which lot fronts 100 feet on Court Place, is rectangular in shape, with dimensions as follows: 100.0' x 205.71' x 104.85' x 174.18' more particularly described on attached sheet, subject to the following specific limitations and conditions:

1. The duration of the option period shall be twenty-four months from the date hereof.

2. The option must be exercised in writing, the notice of exercise to be delivered to Mark H. Acton, Jr. and Minnie Lee Acton at the following address no later than thirty days prior to the expiration of this option: P. O. Box 694, Pelham, Alabama 35124.

3. The purchase price shall be \$10,000.00 cash, seller to furnish a warranty deed and title insurance in the full amount of the purchase price.

4. The option rights granted herein are SUBJECT TO THE CONDITION THAT: In the event during the option period but no sooner than nine (9) months from date Mark H. Acton, Jr. and wife, Minnie Lee Acton, obtain a bona fide offer to purchase

*D. E. Hearn  
3151 Helena Rd.  
Helena, AL 35080*

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the property optioned hereby for a purchase price which is not less than \$10,000.00, the optionee, D. E. Hearn and Vivian Joy Hearn, shall have thirty days from the date of receipt of notice of such offer in which to close the purchase of the property optioned herein for a purchase price of \$10,000.00 cash. A failure to tender the purchase price within thirty days from the date of receipt of such notice of a bona fide offer shall constitute a cancellation of all further rights in or to purchase the optioned property, and an affidavit signed by Mark H. Acton, Jr. and Minnie Lee Acton, which recites the facts of the bona fide offer, the thirty-day notice, and the failure of the optionee, D. E. Hearn and Vivian Joy Hearn, to tender the purchase price shall, if accompanied by a copy of notice of delivery of registered mail of such notice to D. E. Hearn and Vivian Joy Hearn, upon filing with the Judge of Probate of Shelby County, Alabama, shall operate as good and sufficient notice to title examiners, subsequent purchasers and mortgagees that optionee, D. E. Hearn and Vivian Joy Hearn, have no further interest in this option or the property optioned herein.

IN WITNESS WHEREOF, the undersigned have executed this Agreement this the                      day of April, 1982.

WITNESSES:

[Signature]  
Nicholas Boulton  
[Signature]  
Nicholas Boulton

[Signature]  
Mark H. Acton, Jr.  
[Signature]  
Minnie Lee Acton  
[Signature]  
D. E. Hearn  
[Signature]  
Vivian Joy Hearn

ATTACHMENT TO OPTION

Consideration:

Lot 1 and the Westerly 15 feet of Lot 2, according to the map of Pelham Industrial Court as recorded in Map Book 8, Page 23, in the Probate Office of Shelby County, Alabama.  
Situated in the Town of Pelham, Shelby County, Alabama.

The legal description of the Option property is as follows:

A part of lot 2 of Pelham Industrial Court, as recorded in Map Book 8, Page 23, in the Office of the Judge of Probate in Shelby County, Alabama, more particularly described as follows: Commence at the Southwesterly corner of said Lot 2, thence in a Southeasterly direction, along the Northeasterly Right of Way Line of Court Place, a distance of 15.0 feet to the Point of Beginning; thence continue along last described course a distance of 100.0 feet, thence 90 degrees left, in a Northeasterly direction, a distance of 205.71 feet, thence 107 degrees 30 minutes left in a Westerly direction, a distance of 104.85 feet, thence 72 degrees 30 minutes left in a Southwesterly direction, a distance of 174.18 feet to the Point of Beginning.

STATE OF ALA. SHELBY CO.  
I CERTIFY THIS  
INSTRUMENT WAS FILED

1982 MAY 24 PM 1:35

*Thomas A. Snowden, Jr.*  
JUDGE OF PROBATE

Rec. 450  
Ind. 100  
550

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