

42/10
37/10

THIS INSTRUMENT PREPARED BY:
Randolph H. Lanier
Balch, Bingham, Baker, Hawthorne,
Williams & Ward
600 North 18th Street
Birmingham, Alabama 35203

STATE OF ALABAMA)
COUNTY OF SHELBY)

956

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That in consideration of Ten and No/100 Dollars (\$10.00) to the undersigned grantor, ALABAMA MACHINERY COMPANY, a corporation, in hand paid by HARBERT CORPORATION, a corporation, the receipt of which is hereby acknowledged, the said Alabama Machinery Company does by these presents, grant, bargain, sell and convey unto the said Harbert Corporation the following described real estate, situated in Shelby County, Alabama, to wit:

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Commencing at the NE corner of the SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 31, Township 19 South, Range 2 West, thence run West along the North line of said $\frac{1}{4}$ - $\frac{1}{4}$ Section a distance of 313.96 feet to the point of beginning; thence turn an angle to the right of 7 deg. 59' 20" for a distance of 466.69 feet; thence turn an angle to the left of 78 deg. 08' for a distance of 275.6 feet to the East right of Way of Highway #31 South; thence turn an angle to the left of 57 deg. 44' running down East right of way of said Highway for a distance of 300.0 feet; thence turn an angle to the left of 85 deg. 00' for a distance of 474.93 feet; thence turn an angle to the left of 66 deg. 06' for a distance of 175.0 feet to the point of beginning, this parcel of property located in the SW $\frac{1}{4}$ of NW $\frac{1}{4}$ and also a small part in the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 31, Township 19 South, Range 2 West. Situated in Shelby County, Alabama.

LESS AND EXCEPT that portion sold to James Alton Wright as described in Deed Book 310, Page 485, in Probate Office.

This conveyance is subject to:

1. Ad valorem taxes due and payable October 1, 1983
2. Any applicable zoning ordinances
3. Mortgage to Home Federal Savings & Loan Association of Birmingham, dated April 9, 1975, and recorded in Mortgage Book 345, Page 467, Probate Office of Shelby County, Alabama, which the grantee hereby assumes and agrees to pay in accordance with the terms and conditions thereof.
4. Transmission line permits to Alabama Power Company recorded in Deed Book 101, Page 504; Deed Book 145, Page 377; Deed Book 158, Page 558; Deed Book 180, Page 288; and in Deed Book 101, Page 502, Probate Office of Shelby County, Alabama.

\$ 155,718.28 of the purchase price hereof is represented by a mortgage loan which is assumed by the grantee herein.

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

And said Alabama Machinery Company does for itself, its successors and assigns, covenant with said Harbert Corporation, its successors and assigns, that it is lawfully seized in fee simple of said premises, that they are free from all encumbrances unless

otherwise noted above, that it has a good right to sell and convey the same as aforesaid, and that it will, and its successors and assigns shall, warrant and defend the same to the said Harbert Corporation, its successors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said Alabama Machinery Company, by its Treasurer ~~President~~, T.L. Jenkins, who is authorized to execute this conveyance, has hereto set its signature and seal, this the 20th day of June, 1983.

ATTEST:

ALABAMA MACHINERY COMPANY

By: Betty G. Giazdowski
Its Secretary

By: T.L. Jenkins
Its ~~President~~
Treasurer

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STATE OF ALABAMA)

COUNTY OF)

I, LYNN THAGARD, a Notary Public in and for said County, in said State, hereby certify that T.L. JENKINS, whose name as TREASURER President of Alabama Machinery Company, 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 20th day of June, 1983.

Lynn J. Thagard
Notary Public

My Commission expires: 5/26/86

CERTIFIED COPY OF RESOLUTION

I, Betty A. Gniazdowski, Secretary of Alabama Machinery Company, a corporation organized and existing under the laws of the State of Alabama, do hereby certify that at a duly convened special joint meeting of the Board of Directors and Sole Shareholder of said Corporation, held on the 2nd day of June, 1983, at which a quorum was present and acting throughout, and the Sole Shareholder was represented by its Vice President, Robert F. Murphy, the following resolution was duly adopted, and I further certify that said resolution remains in full force and effect:

"RESOLVED, That the Officers of Alabama Machinery Company be and they hereby are authorized to sell all of the assets owned by the Company including, without limitation, the real properties located in Walker and Shelby Counties, Alabama, for such consideration as they deem appropriate and they are further authorized to execute in the name of and on behalf of the Company such deeds, bills of sale or other documents as required to convey said assets."

Witness my signature and the Corporate seal of said Company hereto affixed, this 2nd day of June, 1983.

Betty A. Gniazdowski
Betty A. Gniazdowski
Secretary



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

1983 JUN 20 PM 4:30

Thomas A. Swain, Jr.
CLERK OF PROBATE

Due tax - 19450
Rec. 450
Ind. 100

20000