

THIS INSTRUMENT PREPARED BY:

William O'Neal Whitt, Jr.  
#2 Office Park Circle  
Birmingham, Alabama 35223

DEED, STATUTORY WARRANTY

STATE OF ALABAMA )

KNOW ALL MEN BY THESE PRESENTS

SHELBY COUNTY )

That for and in consideration of One Hundred Eighty-four Thousand Three Hundred Sixty Dollars (\$184,360.00) to the undersigned grantors, Burgess Mining & Construction Corporation, and A. E. Burgess and wife, Mary Ruth Burgess, in hand paid by Post Welding Supply Company, the receipt whereof is acknowledged, we, the said Burgess Mining & Construction Corporation, and A. E. Burgess and wife, Mary Ruth Burgess, do grant, bargain, sell and convey unto the said Post Welding Supply Company, the following described real estate, situated in Bibb and Shelby Counties, Alabama, to-wit:

Parcel 15, according to the map and plat of Whispering Pines Farms as recorded in Map Book 8, Page 125, in the Office of the Judge of Probate of Shelby County, Alabama, more particularly described as:

A parcel of land containing 81.34 acres, more or less, described as follows: The North 1/2 of the NE-1/4 of Section 11, Township 21 South, Range 5 West, Shelby and Bibb County, Alabama, together with an easement for the purpose of access thereto described as follows, to-wit: An easement 30 feet in width beginning at the North right of way of Bibb County Highway No. 12, whose centerline is described as follows: Commence at a point on the North right of way of Bibb County Highway No. 838.93 feet to the intersection of the Shelby-Bibb County line and the North right of way of said highway; thence run North 09 degrees East 131.05 feet; thence run North 22 degrees 28 minutes East 181.17 feet; thence run North 31 degrees 47 minutes East 285.53 feet; thence run North 28 degrees 07 minutes East 312.58 feet; thence run North 07 degrees 52 minutes West 794.43 feet; thence run North 06 degrees 08 minutes West 419.14 feet; thence run North 02 degrees 51 minutes West 516.35 feet; thence run North 01 degrees 32 minutes West 163.25 feet to the intersection of the South boundary of the NW-1/4 of the NE-1/4 of Section 11, Township 21 South, Range 5 West, containing 1.92 acres, more or less. In the event of any discrepancy in this metes and bounds description and the description as shown in the plat as recorded in Map Book 8, Page 125, in the Office of the Judge of Probate of Shelby County, Alabama, then in such event the terms of this metes and bounds description shall control.

Parcel 16, according to the map and plat of Whispering Pines Farms as recorded in Map Book 8, Page 125, in the Office of the Judge of Probate of Shelby County, Alabama, more particularly described as:

A parcel of land containing 103.45 acres, more or less, described as follows: The South 1/2 of the NW-1/4 of Section 12, and the East 1/2 of the SE-1/4 of the NE-1/4, said East 1/2 described as follows: Commence at the Northeast corner of said SE-1/4 of the NE-1/4 of

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*Judge of Probate*  
*Bibb Co.*  
*Centennial 38042*

Section 11 and run South 03 degrees 49 minutes East along the East boundary of said Section 11 1329.25 feet; thence run South 86 degrees 52 minutes West 655.1 feet; thence run North 03 degrees 49 minutes West 1329.80 feet; thence run North 86 degrees 52 minutes East 655.1 feet to the point of beginning, together with a parcel of property described as follows: Commence at the Northwest corner of the NW-1/4 of the SW-1/4 of Section 12, Township 21 South, Range 5 West, Shelby County; thence run North 86 degrees 58 minutes East along the North boundary of said 1/4-1/4 section 102.95 feet; thence run South 30 degrees 39 minutes East 999.95 feet to the intersection of the North right of way of Shelby County Highway 13; thence run South 85 degrees 17 minutes West along said highway right of way 162.29 feet; thence run North 03 degrees 17 minutes West 211.17 feet; thence run North 30 degrees 32 minutes West 619.12 feet; thence run North 44 degrees 30 minutes West 178.61 feet to the point of beginning, said property being located in Shelby County, Alabama. In the event of any discrepancy in this metes and bounds description and the description as shown in the plat as recorded in Map Book 8, Page 125, in the Office of the Judge of Probate of Shelby County, Alabama, then in such event the terms of this metes and bounds description shall control.

This conveyance is made subject to:

- (1) Taxes due in the year 1983, a lien but not yet payable.
- (2) Title to all mineral and mining rights together with all rights incident thereto.
- (3) Oil, gas and mineral lease in favor of Jack E. Klinger as set forth by instrument dated 6-5-81 and recorded in Book 339, Page 539.
- (4) Easements granted Plantation Pipeline Company as set forth in Deeds recorded in Volume 112, Page 389; Volume 112, Page 388; Volume 112, Page 390; Volume 112, Page 577 and Volume 257, Page 602.
- (5) Right of way in favor of Shelby County, Alabama recorded in Deed Book 221, Page 403.
- (6) Mineral and mining rights excepted in Volume 316, Page 211 (Parcel 16).

Grantors reserve all oil, gas, coal, iron, sulphur and all other mineral rights together with all rights incidental thereto.

A. E. Burgess and wife, Mary Ruth Burgess, join in this deed solely to convey title to that portion of Parcel 16 situated south of the south boundary of the majority of Parcel 16 and north of Shelby County Road Number 13. Said portion of the property hereby conveyed grants Parcel 16 direct access to and frontage on said county road.

To have and to hold the said above described property unto the said Party of the Second Part, together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining and unto their heirs and assigns forever.



IN WITNESS WHEREOF, we have hereunto set our hands and seals this the 14th day of July, 1983.

BURGESS MINING & CONSTRUCTION CORPORATION

By: A. E. Burgess  
A. E. Burgess, Its President

ATTEST:

William E. Prescott, III  
William E. Prescott, III  
Its Secretary

A. E. Burgess  
A. E. BURGESS

Mary Ruth Burgess  
MARY RUTH BURGESS

STATE OF ALABAMA )

SHELBY COUNTY )

I, the undersigned authority, a Notary Public in and for said county, in said state, hereby certify that A. E. Burgess, whose name as President of Burgess Mining & Construction 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 on the day the same bears date.

Given under my hand and official seal this 14th day of July, 1983.

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

1983 JUL 27 AM 9:52

Patricia L. Lumpkin  
Notary Public

My Commission Expires January 5, 1986

STATE OF ALABAMA )  
SHELBY COUNTY )

Deed TAX 184.50  
Rec 4.50  
Ind 1.00  
Total 190.00

I, the undersigned authority, a Notary Public in and for said county, in said state, hereby certify that A. E. Burgess and wife, Mary Ruth Burgess, whose names are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 14th day of July, 1983.

Patricia L. Lumpkin  
Notary Public

My Commission Expires January 5, 1986

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