

WARRANTY DEED

STATE OF ALABAMA)

SHELBY COUNTY)

KNOW ALL MEN BY THESE PRESENTS: That in consideration of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration to Champion Valley Farms, Inc., a corporation organized and existing under the laws of the State of New Jersey (hereinafter called the "Grantor"), in hand paid by Himovitz Enterprises, Inc., a corporation of the State of California (hereinafter called the "Grantee"), the receipt and sufficiency of which is hereby acknowledged, the Grantor does hereby grant, bargain, sell and convey unto the Grantee the following described Real Estate, situated in Shelby County, Alabama, to-wit:

Part of the NE 1/4 of Section 35, Township 20 South, Range 3 West, being more particularly described as follows: Begin at the intersection of the north right-of-way line of Industrial Road (Shelby County Road No. 66) and the west right-of-way line of L&N Railroad and run in a northwesterly direction along the north right-of-way line of said Industrial Road for a distance of 272.35 feet; thence turn an angle to the right of 70 deg. 26 min. and run in a northerly direction for a distance of 636.12 feet; thence turn an angle to the right of 90 deg. and run in an easterly direction for a distance of 418.53 feet to a point on the west right-of-way line of L&N Railroad; thence turn an angle to the right of 102 deg. 33 min. and run in a southwesterly direction along said west right-of-way line of L&N Railroad for a distance of 745.13 feet, more or less, to the point of beginning, containing 5.37 acres, more or less, less and except public road right-of-way on west side of subject property; situated in Shelby County, Alabama.

Subject, however to the conditions, reservations and exceptions set forth on Exhibit A hereto.

TO HAVE AND TO HOLD to the Grantee, its successors and assigns forever.

BOOK 037 PAGE 779

G. Bradley Grant

And the Grantor does for itself, its successors and assigns covenant with the Grantee, 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 or on Exhibit A hereto, 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 Grantee, its successors and assigns, forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, Champion Valley Farms, Inc., has caused this Warranty Deed to be signed in its corporate name and on its behalf, and its corporate seal to be affixed hereto and to be attested, by its duly authorized officers all as of this 13th day of August, 1985.

CHAMPION VALLEY FARMS, INC.

By Suzanne M. Regan
Its President

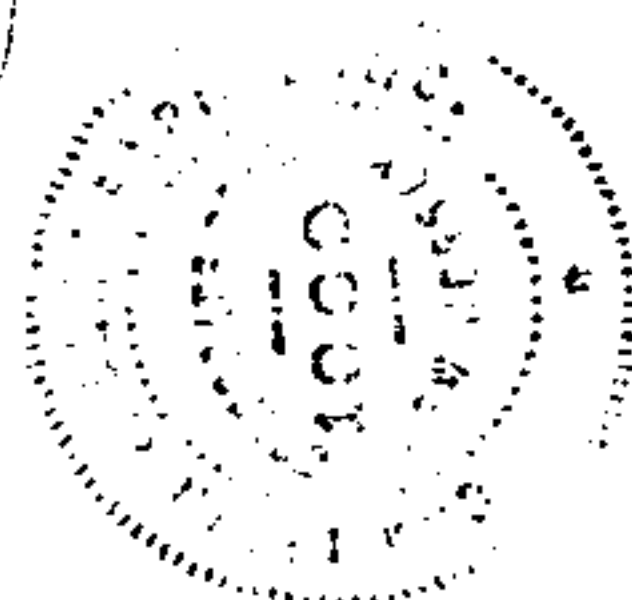
Attest:

[Signature]
Secretary

STATE OF NEW JERSEY)
CAMDEN COUNTY)

I, Don A. Kelly, a Notary Public in and for said County, in said State, hereby certify that Suzanne M. Regan, whose name as President of Champion Valley Farms, Inc., 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, she, as said officer and with full authority, executed the same voluntarily for and as the act of said corporation.

BOOK 037 PAGE 780



Given under my hand and official seal, this the 12th
day of August, 1985.

Joy A. Kelly
Notary Public

[Notarial Seal]

My Commission Expires: _____

JOY A. KELLY
Notary Public of New Jersey
My Commission Expires Dec. 14, 1988

This instrument was prepared by:

Bobby C. Underwood
Bradley, Arant, Rose & White
1400 Park Place Tower
Birmingham, Alabama 35203
(205) 252-4500

BOOK 037 PAGE 781

EXHIBIT A

(To Warranty Deed from Champion Valley Farms, Inc.
to Himovitz Enterprises, Inc. Re: Sale of
5.37 acres, more or less in NE 1/4 of
Section 35, Township 20 South, Range 3 West,
Shelby County, Alabama)

CONDITIONS, RESERVATIONS AND EXCEPTIONS

- (1) Ad valorem taxes due and payable October 1, 1985;
- (2) Transmission line permits to Alabama Power Company recorded in Deed Book 48, Page 626; in Deed Book 134, Page 19; in Deed Book 305, Page 166; and in Deed Book 305, Page 170, all in the Probate Office of Shelby County, Alabama;
- (3) Right of way to Shelby County, recorded in Deed Book 256, Page 868, in the Probate Office of Shelby County, Alabama;
- (4) A right-of-way over and across the subject property for a public road 50 feet wide running along the Westerly boundary of said property, together with an easement to install and maintain sewer, water, and natural gas lines within said right-of-way.

BOOK 037 PAGE 782

STATE OF ALABAMA
I CERTIFY THIS
INSTRUMENT IS CORRECT

1985 AUG 13 PM 4:15

Thomas J. Henderson, Jr.
JUDGE OF PROBATE

Deed tax - 1,100.00
Rec 10.00
Ind 1.00
1,111.00