

This instrument prepared by:
Joe E. Cook, Attorney at Law
2101 Sixth Avenue North
Birmingham, AL 35203

WARRANTY DEED

STATE OF ALABAMA)

SHELBY COUNTY)

KNOW ALL MEN BY THESE PRESENTS, that in consideration of Four Hundred Thousand Dollars (\$400,000), in hand paid to the Gas Board of the Town of Vincent (herein called the "Grantor"), by Alabama Gas Corporation, an Alabama corporation (herein referred to as the "Grantee"), the receipt and sufficiency whereof are hereby acknowledged, the Grantor does hereby grant, bargain, sell and convey unto the Grantee, its successors and assigns, the following described properties located in Shelby, and St. Clair Counties, Alabama, to-wit:

(1) the entire gas distribution system (the System) presently owned by the Grantor to distribute gas in and about the Town of Vincent, the Town of Harpersville and the Town of Cropwell, Alabama, together with all of the other properties, real, personal and mixed, tangible and intangible, forming a part of the System, including also all lands and interest in lands which are owned and exclusively used in the operation of the System, and all franchises, permits, easements, rights-of-way, crossing agreements, privileges, immunities, and licenses pursuant to which the Grantor is authorized to engage in the operation of the System; also that certain agreement executed by Southern Natural Gas Company under the date of September 14, 1967 and as amended thereafter providing for the sale of natural gas to the Grantor; (excepting, however, from

BOOK 042 PAGE 784

BOOK 042 PAGE 785

this deed of conveyance that certain building known as the "Gas Board Building" and the lots adjacent thereto, being an area of approximately 75 feet by 100 feet, and cash on hand and on deposit, gas deposits, accounts receivable, notes receivable, construction advances, accounts payable, notes payable, and existing materials, supplies, vehicles, and/or equipment which may be owned, in whole or jointly, by the Board). The Grantee will not be liable nor does it assume any of the Grantor's obligations pursuant to existing extension agreements requiring construction advances or deposits. The gas system consists of all facilities for the transmission and distribution and sale of gas in the Town of Vincent, the Town of Harpersville and the Town of Cropwell and the respective surrounding territories, all regulating stations, and real estate, easements, rights of way, pipelines, valves, meters, regulators, apparatus and equipment and other real and personal property necessary to constitute a complete gas distribution system to serve the area and customers hereinabove referred to; and

(2) With the exception of the real property excepted above, all real property owned in fee simple including but not limited to the following described real property:

(a) That certain tract or parcel of land, situated in the Town of Vincent, Alabama, more particularly described as follows: Begin at the intersection of the Southeastern boundary of Highway Number 25 with the Southwestern boundary of the right of way of the Central of Georgia Railway, and run in a southeasterly direction, along said margin of the Central of Georgia Railway right of way, 77 feet, more or less, to the Northwest corner of Lot Number 3, according to Beavers' map of Vincent, Alabama, which said map is on file in the Probate Judge's office of Shelby County, Alabama; thence, run in a Southwesterly direction, perpendicular to the said railway right of way, to an intersection with the Southeastern boundary of the right of way of said highway Number 25; thence run in a Northeasterly direction, along said

BOOK 042 PAGE 786

margin of said highway right of way to the point of beginning. Situated in Shelby County, Alabama.

(b) The site of the Gas Board of the Town of Vincent odorizing station adjacent with the Southern Railway Company's right of way near Pell City, Alabama, and more particularly described as follows: Commence at the NW corner of Section 5, Township 17, Range 4 East, thence South along the West line of Section 5, a distance of 690 feet, more or less, to a point where the section line intersects the Southern Railroad right of way, the point of beginning, thence continue South along the West line of Section 5, a distance of 80 feet, more or less, to a point, thence North 87° 00' East a distance of 36 feet, more or less, to a point on the center line of existing County Road, thence North 7° 00' West and along the center line of existing County Road a distance of 80 feet, more or less, to a point intersecting the Railroad Right of Way, thence in a westerly direction along the Railroad right of way a distance of 14.5 feet, more or less, to the point of beginning, said land being and lying in the NW 1/4 of the NW 1/4 of Section 5, Township 17, Range 4 East, St. Clair County, Alabama.

- (3) All easements and rights-of-way, whether recorded or unrecorded, owned by the Gas Board of the Town of Vincent.

TO HAVE AND TO HOLD the said real estate and other properties unto the Grantee, its successors and assigns, forever, subject, however, to existing rights of way and easements for public roads and public utilities now in actual use.

AND the Grantor does for itself and for its successors and assigns, covenant with the Grantee, its successors and assigns, that it is lawfully seized in fee


simple of said real estate and other properties; that said real estate and other properties are free from all liens and encumbrances except as aforesaid; 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 except those claiming under the aforesaid rights-of-way and easements.


633X 042 PAGE 787

IN WITNESS WHEREOF, the Gas Board of the Town of Vincent has caused this instrument to be executed in its name and behalf and its seal to be hereunto affixed by its duly authorized officer, who is hereto duly authorized, this 24th day of September, 1985.

ATTEST:

GAS BOARD OF THE
TOWN OF VINCENT


W. G. Rasmussen
Secretary-Treasurer


Nolen R. Clinkscales,
Chairman of the Gas
Board of the Town of
Vincent

STATE OF ALABAMA)
SHELBY COUNTY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Nolen R. Clinkscates, whose name as Chairman of the Gas Board of the Town of Vincent and W. G. Rasmussen, whose name as Secretary-Treasurer of the Gas Board of the Town of Vincent 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 as such Chairman and Secretary-Treasurer of the Gas Board of the Town of Vincent 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 24th day of September, 1985.

Mary Lee Reynolds
NOTARY PUBLIC

My Commission Expires June 21, 1988

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

1985 SEP 27 AM 10:47

Thomas A. Henderson, Jr.
JUDGE OF PROBATE

RECORDING FEES

Mortgage Tax	\$	
Deed Tax		<u>400.00</u>
Miscellaneous Tax		
Recording Fee		<u>12.50</u>
Index Fee		<u>1.00</u>
TOTAL		<u>\$413.50</u>

BOOK 042 PAGE 788