

100

18.06 acres

Send Tax Notices To:

StoneBrook Development Company  
1037 South 22nd Street  
Birmingham, Alabama 35205

STATE OF ALABAMA )

COUNTY OF SHELBY )

QUIT CLAIM DEED

KNOW ALL MEN BY THESE PRESENTS: That in consideration of Ten Dollars (\$10.00) to the undersigned grantor, AMSOUTH BANK, N.A., as Ancillary Trustee for NCNB National Bank of North Carolina, as Trustee for the Public Employees Retirement System of Ohio, (herein referred to as GRANTOR), in hand paid by the grantee herein, the receipt of which is hereby acknowledged, the said GRANTOR hereby remises, an Alabama corporation, releases, quit claims and conveys unto STONEBROOK DEVELOPMENT COMPANY, an Alabama general partnership all of Grantor's right, title, and interest, if any, in the following described property in Shelby County, , Alabama, to wit:

All coal, iron ore, oil and gas, and all other mineral and mining rights within and underlying premises, together with all mining rights and other rights and privileges relating thereto on the property described as Exhibit A attached hereto and incorporated herein by reference.

The entire purchase price was paid from the proceeds of a mortgage loan closed simultaneously herewith.

TO HAVE AND TO HOLD, To the said GRANTEE, and its successors and assigns forever.

THE GRANTOR MAKES NO WARRANTY, EXPRESS OR IMPLIED, AS TO TITLE TO THE PROPERTY HEREINABOVE DESCRIBED.

IN WITNESS WHEREOF, the said Grantor, who is authorized to execute this conveyance, hereto sets its signature and seal this the 30<sup>th</sup> day of December, 1988.

AMSOUTH BANK, N.A., as Ancillary  
Trustee for NCNB National Bank of  
of North Carolina, as Trustee for  
the Public Employees Retirement  
System of Ohio

By:   
Its: Vice President and Trust Officer

BOOK 220 PAGE 370

*Caraba Gille*

STATE OF ALABAMA

COUNTY OF JEFFERSON

1, the undersigned, a Notary Public in and for said County in said State, hereby certify that John A. Bestwick, whose name as Vice President & Trust Officer of AMSOUTH BANK, N.A., a national association, as Ancillary Trustee for NCNB National Bank of North Carolina, as Trustee for the Public Employees Retirement System of Ohio, is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said association acting in its capacity as Ancillary Trustee as aforesaid on the day the same bears date.

Given under my hand and official seal of office this 30<sup>th</sup> day of December, 1988.

Frank C. Hallaway Jr  
NOTARY PUBLIC

[NOTARIAL SEAL]

My Commission expires:

October 23, 1989

Drawn By and Mail To:

Jefferson W. Brown  
Kennedy Covington Lobdell & Hickman  
3300 NCNE Plaza  
Charlotte, North Carolina 28280.

# EXHIBIT A

## LEGAL DESCRIPTION

A parcel of land situated in the North half of Section 31, Township 18 South, Range 1 West, Shelby County, Alabama, said parcel being part of Lots 18, 20 and 22, Jessica Ingram Property as recorded in Map Book 3, Page 54, in the Office of the Judge of Probate, Shelby County, Alabama, and also part of Lot 16B of A Resurvey of Lots 14 and 16, Jessica Ingram property as recorded in Map Book 6, Page 71, in the Office of the Judge of Probate, Shelby County, Alabama, and also adjoining property being more particularly described as follows:

Commence at the Northeast corner of said Section 31 and run thence West along the North line of said Section 31 for a distance of 1370.00 feet to the Northeast corner of Lot 32, Jessica Ingram Property as recorded in Map Book 3, page 54, in the Office of the Judge of Probate of Shelby County, Alabama; thence turn an angle to the left of 91°-01'-40" and run in a Southeasterly direction for a distance of 495.69 feet to a point; thence turn an angle to the right 5°-17'-40" and run in a Southwesterly direction for a distance of 329.48 feet to the point of beginning; thence continue along last stated course for a distance of 332.60 feet to a point; thence turn an angle to the left of 2°-36'-30" and run in a Southeasterly direction for a distance of 154.59 feet to an iron pin found at the Northeast corner of Lot 16A of a Resurvey of Lots 14 & 16, Jessica Ingram Property as recorded in Map Book 6, page 71, in the Office of the Judge of Probate, Shelby County, Alabama; thence turn an angle to the right of 87°-48'-58" and run in a Westerly direction along the North line of said Lot 16A for a distance of 671.63 feet to an iron pin; thence turn an angle to the left of 90°-41'-22" and run in a Southerly direction along the West line of said Lot 16A for a distance of 329.92 feet to a point on the North line of a power line easement; thence turn an angle to the right of 90°-41'-40" and run in a Westerly direction along the South line of Lot 16B of said Resurvey and also along said easement for a distance of 613.77 feet to a point on the Easterly right-of-way of Brook Highland Parkway; thence turn an angle to the right of 91°-11'-44" and run in a Northwesterly direction along the East line of said Brook Highland Parkway for a distance of 284.31 feet to a point; thence turn an angle to the right of 90°-00'-00" and run in an Easterly direction along said Brook Highland Parkway for a distance of 4.00 feet to a point on a curve to the right which is concave to the Southeast having a central angle of 51°-05'-57" and a radius of 701.94 feet; thence turn an angle to the left of 90°-00'-00" to the tangent of said curve and run in a northeasterly direction along the arc of said curve for a distance of 626.03 feet to a point; thence turn an interior counterclockwise angle from the chord of said curve of 116°-14'-47" and run in an Easterly direction for a distance of 1032.66 feet to the point of beginning. Said parcel containing 18.06 acres, more or less.

Being a portion of that property conveyed to Amsouth Bank, N.A., as Ancillary Trustee for NCNB, National Bank of North Carolina, as Trustee for the Public Employees Retirement System of Ohio by that certain deed dated December 31, 1986, recorded in Book 107, Page 989 in the Office of the Judge of Probate of Shelby County, Alabama.

Min Tax 2.85  
 1. Doc Tax 2.85  
 2. Mtg Tax  
 3. Recording Fee 7.50  
 4. Indexing Fee 1.00  
 TOTAL 11.35

STATE OF ALABAMA  
 I CERTIFY THIS  
 INSTRUMENT WAS FILED

89 JAN -3 PM 3:39

Thomas A. [Signature]  
 JUDGE OF PROBATE