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This instrument was prepared by
 Phillip G. Stutts
 LEITMAN, SIEGAL, PAYNE & CAMPBELL, P.C.
 425 First Alabama Bank Building
 Birmingham, Alabama 35203
 (205) 251-5900

WARRANTY DEED

STATE OF ALABAMA)

SHELBY COUNTY)

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of the sum of EIGHT HUNDRED SIXTY-THREE THOUSAND THREE HUNDRED EIGHTEEN AND 70/100 (\$863,318.70) DOLLARS, to the undersigned grantors, TOMMIE S. LEE AND HUSBAND, FRANK M. LEE ("GRANTORS"), in hand paid by THE HARBERT-EQUITABLE JOINT VENTURE, a partnership ("GRANTEE"), the receipt, adequacy and sufficiency whereof are hereby acknowledged, the said GRANTORS do by these presents, grant, bargain, sell and convey unto GRANTEE the following described real property located and situated in Shelby County, Alabama, and being more particularly described on EXHIBIT "A", which is attached hereto and incorporated herein by reference.

SUBJECT TO:

1. Title to minerals underlying caption lands with mining rights and privileges belonging thereto, as excepted in Deed Book 7, Page 375; Deed Book 230, Page 53; and Deed Book 155, Page 52.
2. Transmission line permits to Alabama Power Company as recorded in Deed Book 113, Page 279; Deed Book 123, Page 173; Deed Book 143, Page 407; and Deed Book 219, Page 604, in Probate Office.
3. Right of way to South & North Alabama Railroad as recorded in Deed Book 37, Page 412, in Probate Office.
4. Any existing easements, rights of way and restrictions of records.

TO HAVE AND TO HOLD unto the said GRANTEE, its successors and assigns, forever;

✓ RIVERCHASE



And said GRANTORS do for themselves, their heirs, executors and administrators, covenant with said GRANTEE, its successors and assigns, that they are lawfully seized in fee simple of said premises, that they are free from all encumbrances, except as hereinabove noted, that they have a good right to sell and convey the same as aforesaid, and that they will and their heirs, executors, and administrators shall, warrant and defend the same to the said GRANTEE, its successors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, TOMMIE S. LEE AND HUSBAND, FRANK M. LEE have caused this Warranty Deed to be executed on this 16 day of December, 1988.

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Tommie S. Lee
TOMMIE S. LEE
Frank M. Lee
FRANK M. LEE

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County in said State, do hereby certify that TOMMIE S. LEE, an individual whose name is signed to the foregoing Agreement, and who is known to me, acknowledged before me on this day, that, being informed of the contents of said Agreement, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 16 day of December, 1988.

Karen McCormick
NOTARY PUBLIC

My Commission Expires: 11-8-92

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County in said State, do hereby certify that FRANK M. LEE, an individual whose name is signed to the foregoing Agreement, and who is known to me, acknowledged before me on this day, that, being informed of the contents of said Agreement, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 16 day of December, 1988.

Karen McCormick
NOTARY PUBLIC

My Commission Expires: 11-8-92

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EXHIBIT "A"

Part of the S 1/2 of NE 1/4 of Section 35, Township 19 South, Range 3 West, Shelby County, Alabama, being more particularly described as follows: From the Southwest corner of said SW 1/4 of NE 1/4 of Section 35, run in a Northerly direction along the West line of said SW 1/4 of NE 1/4 for a distance of 720.0 feet to an existing iron pin, being the point of beginning; thence turn an angle to the right of 180 degrees and run in a Southerly direction for a distance of 720.0 feet to an existing iron pin, being the Southwest corner of said 1/4-1/4 Section; thence turn an angle to the left of 89 degrees 21 minutes 43 seconds and run in an Easterly direction along the South line of said SW 1/4 of NE 1/4 for a distance of 1,322.14 feet to an existing iron pin; thence turn an angle to the right of 00 degrees 08 minutes 24 seconds and run in an Easterly direction along the South line of SE 1/4 of NE 1/4 of said Section 35 for a distance of 1,322.98 feet to an existing iron pin; thence turn an angle to the left of 90 degrees 46 minutes and run in a Northerly direction along the East line of said SE 1/4 of NE 1/4 for a distance of 1,076.48 feet to an existing iron pin, being the Southeast corner of Lot 10, Chase Park Estates, as recorded in the Office of the Judge of Probate, Shelby County, Alabama, in Map Book 11, Page 39; thence turn an angle to the left of 89 degrees 23 minutes and run in a Westerly direction along the South line of said Chase Park Estates Subdivision for a distance of 1,976.96 feet to the Southwest corner of Lot 4 of said Chase Park Estates; thence turn an angle to the right of 89 degrees 21 minutes 01 second and run in a Northerly direction along the West line of said Lot 4 for a distance of 61.41 feet to an existing iron pin; thence turn an angle to the left of 121 degrees 18 minutes 48 seconds and run in a South-westerly direction for a distance of 782.38 feet, more or less, to the point of beginning.

According to undated survey of Laurence D. Weygand, Reg. NO. 10373.

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

89 FEB -3 PM 1:40

Thomas P. Saunders, Jr.
JUDGE OF PROBATE

1. Deed Tax	\$ 865.50
2. Mtg. Tax	_____
3. Recording Fee	10.00
4. Indexing Fee	1.00
TOTAL	876.50