

998

This instrument was prepared by
Peggy A. Werdehoff, Attorney
USX Corporation
Fairfield, Alabama 35064

\$5,500

STATE OF ALABAMA
COUNTY OF SHELBY

KNOW ALL MEN BY THESE PRESENTS that, for and in consideration of One Hundred Dollars (\$100.00) and other valuable consideration paid to USX CORPORATION, formerly known as United States Steel Corporation, a Delaware corporation, hereinafter called "Grantor", by SIGNATURE CONSTRUCTION, INC., an Alabama corporation, whose mailing address is 3195 Cahaba Heights Road, Birmingham, Alabama 35243, hereinafter called "Grantee", the receipt and sufficiency of which are hereby acknowledged, the said Grantor does hereby grant, bargain, sell and convey unto the said Grantee the following described real estate, MINERALS AND MINING RIGHTS EXCEPTED, situated in Shelby County, Alabama, to wit:

Lot 10, according to the survey of Heatherwood, Fourth Sector, Second Addition, as recorded in Map Book 12, Pages 79, 80 and 81 in the Probate Office of Shelby County, Alabama.

BOOK 247 PAGE 179
RESERVING AND EXCEPTING, however, from this conveyance all of the coal, iron ore, gas, oil, methane, hydrocarbons, occluded natural gas, coal bed methane gas, limestone, and all other minerals and non-mineral substances in and under said land, including water associated with the production of coal bed methane gas, together with the right to explore for, to drill for, to mine, to produce and to remove said coal, iron ore, gas, oil, methane, hydrocarbons, occluded natural gas, coal bed methane gas, limestone, and all other minerals and non-mineral substances in and under said land, including water associated with the production of coal bed methane gas, without using the surface of said land; and also the right to transport through said land coal, iron ore, gas, oil, methane, hydrocarbons, occluded natural gas, coal bed methane gas, limestone, and all other minerals and non-mineral substances from adjoining or other land without using the surface of the land hereby conveyed.

This conveyance is made upon the covenant and condition which shall constitute a covenant running with said land that no right of action for damages on account of injury to said land or to any buildings, improvements, structures, pipe lines and other sources of water supply now or hereafter located upon said land or to any owners or occupants or other persons in or upon said land, resulting from past mining or other operations of the Grantor, its predecessors, assignees, licensees, lessees or contractors, or resulting from blasting, dewatering or the removal of said minerals, whether said past mining or other past operations be in said land or other lands, shall ever accrue to or be asserted by the Grantee herein or by said Grantee's successors in title, or by any person, this deed made expressly subject to all such past or future injuries. It is understood by the Grantee that Grantor cannot determine to any degree of certainty whether or not any past mining or other operations have occurred in said land or lands in the general vicinity of said land.

TO HAVE AND TO HOLD unto the said Grantee, its successors and assigns, forever; SUBJECT, however, to the following: (a) such easements not specifically mentioned herein as may exist over, upon, or across the land for public or private roads, electric power transmission lines, telephone line, telegraph lines, or pipelines; (b) applicable zoning and subdivision regulations; (c) ad valorem taxes for the current tax year; (d) all matters of public record affecting the land conveyed hereunder; (e) 35 foot building set back line from Turnberry Road as shown on recorded plat; (f) easements as shown on recorded plat;

Burr Gorman

(2)

(g) agreement with Alabama Gas Corporation dated August 5, 1987; (h) underground cable agreement with Alabama Power Company dated June 14, 1988; (i) agreement with the Water Works and Sewer Board of the City of Birmingham, Alabama dated September 15, 1988; and (j) restrictions as recorded in Real 199, Page 196 and Real 204, Page 661 in the Probate Office of Shelby County, Alabama.

And the Grantor does for itself and for its successors and assigns covenant with the Grantees, Grantee's successors and assigns, that it is seized and possessed of said land and has the right to convey it, and it warrants the title against all persons claiming by, through or under the Grantor.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed in its name and behalf and its corporate seal to be hereunto affixed and attested by its officers thereunto duly authorized this, the 11th day of July, 1989.

ATTEST:

USX CORPORATION

Assistant Secretary
USX Corporation

Regional Manager - Southeast
USX Realty Development, a Division
of U. S. Diversified Group



STATE OF ALABAMA
COUNTY OF JEFFERSON

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Thomas G. Howard, whose name as Regional Manager - Southeast, USX Realty Development, a division of U. S. Diversified Group, USX 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.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this, the 11th day of July, 1989.

Notary Public

Bobby Ray Jones

BOBBY RAY JONES

Jefferson County, Alabama

My Commission Expires May 10, 1990

ALL ALABAMA INSTRUMENTS
I CERTIFY THIS
INSTRUMENT WAS FILED

89 JUL 21 PM 4: 16

JUDGE OF PROBATE

RECORDING FEES
Deed tax
Recording Fee \$ 5.00
Index Fee 3.00
TOTAL TAX 8.00
9.00