

Send Tax Notice To:

Birmingham Realty Company
2118 First Avenue North
Birmingham, Alabama 35203

STATE OF ALABAMA)

SHELBY COUNTY)

STATUTORY WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, on the 16th day of April, 1990 pursuant to the terms of that certain Vulcan Materials Realty Trust for the benefit of Birmingham Realty Company under agreement dated October 16, 1989 and that certain Metro Trailer Repair Company Realty Trust for the benefit of Birmingham Realty Company under agreement dated November 16, 1989 (the "Trusts"), AmSouth Bank N.A., as Trustee for the Trusts, acquired title to the hereinbelow described property; and

WHEREAS, title to the hereinbelow described property was taken by the Trustee solely to facilitate said exchange of properties with the intention that, pursuant to the terms of the Trusts, the Trustee would convey said property to Birmingham Realty Company; and

WHEREAS, Birmingham Realty Company has requested AmSouth Bank N.A., as said Trustee, convey said property to it;

NOW, THEREFORE, in consideration of the foregoing recitals and to complete the exchange of the property, in hand paid to AmSouth Bank N.A., as Trustee of the Trusts (hereinafter referred to as "Grantor") by Birmingham Realty Company (hereinafter referred to as "Grantee"), the receipt and sufficiency of which are hereby acknowledged, the said Grantor does by these presents grant, bargain, sell, and convey unto the said Grantee the following described real property situated in Shelby County, Alabama more particularly described in Exhibit "A" attached hereto and incorporated herein by reference (the "Property");

TOGETHER WITH all appurtenances thereto belonging or in anywise appertaining and all right, title and interest of Grantor in and to any and all roads, alleys and ways bounding the Property.

This conveyance is subject to the following:

1. Ad valorem taxes for tax year 1990;
2. Title to minerals underlying the NE 1/4 of SE 1/4 and the SE 1/4 of NE 1/4 Section 25, Township 17 South, Range 1 East, with mining rights and privileges belonging thereto, as excepted in Deed Book 33, Page 229 in the Probate Office of Shelby County, Alabama;
3. Title to minerals underlying the NW 1/4 of SE 1/4 of Section 25, Township 17 South, Range 1 East, with mining rights and privileges belonging thereto, as excepted in Deed Book 88, Page 264 in the Probate Office of Shelby County, Alabama;
4. Title to minerals underlying the SW 1/4 of NE 1/4 of Section 25, Township 17 South, Range 1 East, with mining rights and privileges belonging thereto, as excepted in Deed Book 76, Page 333 in the Probate Office of Shelby County, Alabama; and
5. Riparian rights incident to the Property.

Berkowitz

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

IN WITNESS WHEREOF, the Grantor has caused this Statutory Warranty Deed to be executed by its duly authorized officer hereunto.

AMSOUTH BANK N.A., as Trustee
of the Vulcan Materials Realty
Trust for the benefit of
Birmingham Realty Company under
agreement dated October 16, 1989

By: [Signature]
D. A. Ferguson
Its: Vice President and
Trust Officer

AMSOUTH BANK N.A., as Trustee
of the Metro Trailer Repair
Company Realty Trust for the
benefit of Birmingham Realty
Company under agreement dated
November 16, 1989

By: [Signature]
D. A. Ferguson
Its: Vice President and
Trust Officer

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STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that D. A. Ferguson, as Vice President and Trust Officer of AmSouth Bank N.A., as Trustee of the Vulcan Materials Realty Trust for the benefit of Birmingham Realty Company under agreement dated October 16, 1989 whose name 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 executed the same voluntarily on behalf of said trust on the day the same bears date.

Given under my hand this 6th day of April, 1990.

Deborah K. Foster
Notary Public
My Commission Expires: 5-29-90

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that D. A. Ferguson, as Vice President and Trust Officer of AmSouth Bank N.A., as Trustee of the Metro Trailer Repair Company Realty Trust for the benefit of Birmingham Realty Company under agreement dated November 16, 1989 whose name 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 executed the same voluntarily on behalf of said trust on the day the same bears date.

Given under my hand this 6th day of April, 1990.

Deborah K. Foster
Notary Public
My Commission Expires: 5-29-90

EXHIBIT A

Three parcels of land, including Hillhouse Lake and adjoining properties, situated in Section 24 and 25, Township 17 South, Range 1 East, Shelby County, Alabama, being more particularly described as follows:

PARCEL A:

The West 1/4 of the Northeast 1/4 of the Southeast 1/4 and the East 3/4 of the Northwest 1/4 of the Southeast 1/4 of Section 25, Township 17 South, Range 1 East, Shelby County, Alabama, being more particularly described as follows: Begin at the Northeast corner of the Northwest 1/4 of the Southeast 1/4 of Section 25, Township 17 South, Range 1 East, Shelby County, Alabama, and run in an Easterly direction along the North line of the Northeast 1/4 of the Southeast 1/4 of said Section 25, a distance of 324.86 feet to a point; thence turn an interior angle of 90 degrees 02 minutes 10 seconds and run to the right in a Southerly direction a distance of 1302.96 feet to a point on the South line of said 1/4-1/4 Section; thence turn an interior angle of 90 degrees 24 minutes 10 seconds and run to the right in a Westerly direction along the South line of 1/4-1/4 Section a distance of 325.77 feet to the Southwest corner of said 1/4-1/4 Section; thence turn an interior angle of 179 degrees 57 minutes 30 seconds and run to the right in an Easterly direction along the South line of the Northwest 1/4 of the Southeast 1/4 of said Section 25 a distance of 985.56 feet to a point; thence turn an interior angle of 89 degrees 46 minutes 20 seconds and run to the right in a Northerly direction a distance of 1312.78 feet to a point on the North line of said 1/4-1/4 Section; thence turn an interior angle of 90 degrees 04 minutes 50 seconds and run to the right in an Easterly direction along the North line of said 1/4-1/4 Section a distance of 337.19 feet to a point; thence turn an interior angle of 179 degrees 34 minutes 50 seconds and run to the right in an Easterly direction a distance of 652.31 feet to the point of beginning.

PARCEL B:

The West 1/2 of the Southeast 1/4 of the Northeast 1/4 and the East 1/2 of the Southwest 1/4 of the Northeast 1/4 of Section 25, Township 17 South, Range 1 East, Shelby County, Alabama, being more particularly described as follows: Begin at the Northeast corner of the Southwest 1/4 of the Northeast 1/4 of Section 25, Township 17 South, Range 1 East, and run in an Easterly direction along the North line of the Southeast 1/4 of the Northeast 1/4 of said Section 25 a distance of 656.45 feet to a point; thence turn an interior angle of 90 degrees 04 minutes 40 seconds and run to the right in a Southerly direction a distance of 1306.74 feet to a point on the South line of said 1/4-1/4 Section; thence turn an interior angle of 90 degrees 03 minutes 00 seconds and run to the right in a Westerly direction along the South line of said 1/4-1/4 Section a distance of 323.98 feet to a point; thence turn an interior angle of 180 degrees 03 minutes 20 seconds and run to the left in a Westerly direction along the South line of said 1/4-1/4 Section a distance of 324.86 feet to the Southwest corner of said 1/4-1/4 Section; thence turn an interior angle of 179 degrees 49 minutes 50 seconds and run to the right in a Westerly direction along the South line of the Southwest 1/4 of the Northeast 1/4 of said Section 25 a distance of 652.31 feet to a point; thence turn an interior angle of 90 degrees 13 minutes 10 seconds and run to the right in a Northerly direction a distance of 1309.79 feet to a point on the North line of said 1/4-1/4 Section; thence turn an interior angle of 89 degrees 40 minutes 00 seconds and run to the right in an Easterly direction a distance of 648.28 feet to the point of beginning.

EXHIBIT A

PARCEL C:

A tract of land encompassing Hillhouse Lake and that property lying within 200 feet from the high water line of said Hillhouse Lake, being situated in Sections 24 and 25, Township 17 South, Range 1 East, Shelby County, Alabama, being more particularly described as follows: Begin at the Northeast corner of the Southwest 1/4 of the Northeast 1/4 of Section 25, Township 17 South, Range 1 East, and run in a Westerly direction along the North line of said 1/4-1/4 Section a distance of 540.30 feet to a point; thence turn an interior angle of 124 degrees 39 minutes 00 seconds and run to the right in a Northwesterly direction a distance of 99.12 feet to a point; thence turn an interior angle of 195 degrees 45 minutes 50 seconds and run to the left in a Northwesterly direction a distance of 73.96 feet to a point; thence turn an interior angle of 170 degrees 12 minutes 30 seconds and run to the right in a Northwesterly direction a distance of 223.66 feet to a point; thence turn an interior angle of 186 degrees 17 minutes 20 seconds and run to the left in a Northwesterly direction a distance of 134.22 feet to a point; thence turn an interior angle of 187 degrees 53 minutes 00 seconds and run to the left in a Northwesterly direction a distance of 65.23 feet to a point; thence turn an interior angle of 219 degrees 03 minutes 40 seconds and run to the left in a Westerly direction a distance of 63.75 feet to a point; thence turn an interior angle of 159 degrees 31 minutes 10 seconds and run to the right in a Westerly direction a distance of 46.19 feet to a point; thence turn an interior angle of 206 degrees 24 minutes 00 seconds and run to the left in a Westerly direction a distance of 259.48 feet to a point; thence turn interior angle of 160 degrees 44 minutes 40 seconds and run to the right in a Westerly direction a distance of 157.19 feet to a point; thence turn an interior angle of 167 degrees 11 minutes 00 seconds and run to the right in a Westerly direction a distance of 157.66 feet to a point; thence turn an interior angle of 190 degrees 36 minutes 50 seconds and run to the left in a Westerly direction a distance of 63.71 feet to a point; thence turn an interior angle of 179 degrees 22 minutes 20 seconds and run to the right in a Westerly direction a distance of 161.30 feet to a point; thence turn an interior angle of 160 degrees 16 minutes 10 seconds and run to the right in a Northwesterly direction a distance of 98.93 feet to a point; thence turn an interior angle of 193 degrees 02 minutes 00 seconds and run to the left in a Northwesterly direction a distance of 70.53 feet to a point; thence turn an interior angle of 187 degrees 16 minutes 50 seconds and run to the left in a Northwesterly direction a distance of 119.83 feet to a point; thence turn an interior angle of 160 degrees 57 minutes 50 seconds and run to the right in a Northwesterly direction a distance of 251.30 feet to a point; thence turn an interior angle of 106 degrees 30 minutes 20 seconds and run to the right in a Northerly direction a distance of 411.23 feet; thence turn an interior angle of 104 degrees 50 minutes 00 seconds and run to the right in an Easterly direction a distance of 536.86 feet to a point; thence turn an interior angle of 102 degrees 22 minutes 30 seconds and run to the right in a Southerly direction a distance of 117.26 feet to a point; thence turn an interior angle of 276 degrees 14 minutes 40 seconds and run to the left in an Easterly direction a distance of 107.99 feet to a point; thence turn an interior angle of 159 degrees 56 minutes 40 seconds and run to the right in an Easterly direction a distance of 80.67 feet to a point; thence turn an interior angle of 205 degrees 57 minutes 00 seconds and run to the left in a Northeasterly direction a distance of 146.71 feet to a point; thence turn an interior angle of 179 degrees 14 minutes 50 seconds and run to the right in a Northeasterly direction a distance of 288.42 feet to a point; thence turn an interior angle of 143 degrees 23 minutes 20 seconds and run to the right in an Easterly direction a distance of 150.45 feet to a point; thence turn an interior angle of 207 degrees 18 minutes 40 seconds and run to the left in a Northwesterly direction a distance of 163.71 feet to a point; thence turn an interior angle of 159 degrees 58 minutes 50 seconds and run to the right in an Easterly direction a distance of 60.37 feet to a point; thence turn an interior angle of 208 degrees 51 minutes 00 seconds and run to the left in a Northeasterly direction a distance of 99.10 feet to a point; thence turn an interior angle of 145 degrees 48 minutes 40 seconds and run to the right in an Easterly direction a distance of 110.88 feet to a point; thence turn an interior angle of 223 degrees 00 minutes 40 seconds and run to the left in a Northeasterly direction a distance of 59.30 feet to a point; thence turn an interior angle of 181 degrees 39 minutes 00 seconds and run to the left in a Northeasterly direction a distance of 106.60 feet to a point; thence turn an interior angle of 181 degrees 54 minutes 00 seconds and run to the left in a Northeasterly direction a distance of 83.43 feet to a point; thence turn an interior angle of 248 degrees 06 minutes 40 seconds and run to the left in a Northwesterly direction a distance of 193.13 feet to a point; thence turn an interior angle of 143 degrees 56 minutes 20 seconds and run to the right in a Northeasterly

EXHIBIT A

direction a distance of 189.69 feet to a point; thence turn an interior angle of 214 degrees 31 minutes 50 seconds and run to the left in a Northwesterly direction a distance of 197.08 feet to a point; thence turn an interior angle of 197 degrees 54 minutes 40 seconds and run to the left in a Northwesterly direction a distance of 99.73 feet to a point; thence turn an interior angle of 163 degrees 37 minutes 20 seconds and run to the right in a Northerly direction a distance of 73.81 feet to a point; thence turn an interior angle of 197 degrees 20 minutes 40 seconds and run to the left in a Northwesterly direction a distance of 185.24 feet to a point; thence turn an interior angle of 137 degrees 01 minutes 20 seconds and run to the right in a Northerly direction a distance of 177.44 feet to a point; thence turn an interior angle of 191 degrees 15 minutes 20 seconds and run to the left in a Northerly direction a distance of 124.98 feet to a point; thence turn an interior angle of 207 degrees 29 minutes 10 seconds and run to the left in a Northwesterly direction a distance of 236.67 feet to a point; thence turn an interior angle of 89 degrees 02 minutes 40 seconds and run to the right in a Northeasterly direction a distance of 453.59 feet to a point; thence turn an interior angle of 169 degrees 48 minutes 50 seconds and run to the right in a Northeasterly direction a distance of 79.75 feet to a point; thence turn an interior angle of 143 degrees 34 minutes 10 seconds and run to the right in a Southeasterly direction a distance of 408.18 feet to a point; thence turn an interior angle of 127 degrees 50 minutes 00 seconds and run to the right in a Southerly direction a distance of 221.38 feet to a point; thence turn an interior angle of 157 degrees 49 minutes 20 seconds and run to the right in a Southerly direction a distance of 256.38 feet to a point; thence turn an interior angle of 168 degrees 57 minutes 00 seconds and run to the right in a Southerly direction a distance of 54.06 feet to a point; thence turn an interior angle of 200 degrees 37 minutes 10 seconds and run to the left in a Southerly direction a distance of 78.55 feet to a point; thence turn an interior angle of 168 degrees 14 minutes 30 seconds and run to the right in a Southerly direction a distance of 221.83 feet to a point; thence turn an interior angle of 164 degrees 53 minutes 30 seconds and run to the left in a Southerly direction a distance of 99.14 feet to a point; thence turn an interior angle of 199 degrees 20 minutes 40 seconds and run to the left in a Southerly direction a distance of 199.72 feet to a point; thence turn an interior angle of 158 degrees 47 minutes 30 seconds and run to the right in a Southerly direction a distance of 180.50 feet to a point; thence turn an interior angle of 155 degrees 38 minutes 00 seconds and run to the right in a Southwesterly direction a distance of 82.67 feet to a point; thence turn an interior angle of 186 degrees 22 minutes 10 seconds and run to the left in a Southwesterly direction a distance of 49.12 feet to a point; thence turn an interior angle of 228 degrees 49 minutes 20 seconds and run to the left in a Southeasterly direction a distance of 108.84 feet to a point; thence turn an interior angle of 156 degrees 29 minutes 50 seconds and run to the right in a Southerly direction a distance of 201.65 feet to a point; thence turn an interior angle of 136 degrees 41 minutes 10 seconds and run to the right in a Southwesterly direction a distance of 166.41 feet to a point; thence turn an interior angle of 186 degrees 46 minutes 40 seconds and run to the left in a Southwesterly direction a distance of 32.39 feet to a point; thence turn an interior angle of 190 degrees 30 minutes 20 seconds and run to the left in a Southwesterly direction a distance of 189.50 feet to a point; thence turn an interior angle of 160 degrees 02 minutes 30 seconds and run to the right in a Southwesterly direction a distance of 163.33 feet to a point; thence turn an interior angle of 216 degrees 54 minutes 10 seconds and run to the left in a Southerly direction a distance of 114.50 feet to a point; thence turn an interior angle of 174 degrees 13 minutes 20 seconds and run to the right in a Southerly direction a distance of 192.18 feet to a point; thence turn an interior angle of 172 degrees 29 minutes 40 seconds and run to the right in a Southwesterly direction a distance of 108.26 feet to a point; thence turn an interior angle of 249 degrees 22 minutes 50 seconds and run to the left in a Southeasterly direction a distance of 126.43 feet to a point; thence turn an interior angle of 156 degrees 58 minutes 40 seconds and run to the right in a Southeasterly direction a distance of 196.08 feet to a point; thence turn an interior angle of 142 degrees 58 minutes 40 seconds and run to the right in a Southerly direction a distance of 93.34 feet to a point on the North line of the Southeast 1/4 of the Northeast 1/4 of Section 25, Township 17 South, Range 1 East; thence turn an interior angle of 100 degrees 26 minutes 40 seconds and run to the right in a Westerly direction along the North line of said 1/4-1/4 Section a distance of 65.83 feet to the point of beginning.

BOOK 286 PAGE 375

STATE OF ALA. SHERIFF
I CERTIFY THIS
INSTRUMENT WAS FILED

90 APR -9 AM 9:54

JUDGE OF PROBATE

1. Deed Tax	\$ 270.00
2. Mtg. Tax	\$
3. Recording Fee	\$ 12.50
4. Indexing Fee	\$ 3.00
5. No Tax Fee	\$
6. Certified Fee	\$ 1.00
Total	\$ 286.50