

Send tax notice to:  
Birmingham Realty Company  
2118 First Avenue North  
Birmingham, Alabama 35203

This instrument prepared by:  
John E. Hagefstration, Jr.  
Bradley, Arant, Rose & White  
1400 Park Place Tower  
2001 Park Place  
Birmingham, Alabama 35203

STATE OF ALABAMA )

SHELBY COUNTY )

GENERAL WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS THAT:

WHEREAS, pursuant to the terms of that certain escrow agreement (the "Escrow Agreement") dated March 29, 1993, American Pipe and Supply Company, Inc., an Alabama corporation ("Purchaser") established an escrow fund with Lawyers Title Insurance Corporation (the "Escrow Agent") for the purpose of satisfying Purchaser's obligations to effect an exchange of properties with Birmingham Realty Company, an Alabama corporation ("Grantee") in accordance with the provisions of Section 1031 of the Internal Revenue Code of 1986; and

WHEREAS, in accordance with the provisions of the Escrow Agreement, Grantee identified to the Escrow Agent the property described below as suitable property to be acquired by or on behalf of the Escrow Agent to complete the exchange of properties between Grantee and Purchaser; and

WHEREAS, in accordance with the provisions of the Escrow Agreement, Escrow Agent has made arrangements for the acquisition of the property described below and has directed the Grantors (as defined below) to convey such property directly to Grantee;

NOW, THEREFORE, in consideration of One Hundred Fifty Thousand and No/100 Dollars (\$150,000.00) in hand paid to Jack N. Roden, a married man and Joe Roden, Jr. a married man ("Grantors"), by Escrow Agent, the receipt and sufficiency of which are hereby acknowledged, Grantors do hereby grant, bargain, sell, and convey unto Grantee, subject to the matters hereinafter set forth, the real estate situated in Shelby

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04/27/1993-11614  
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004 MCD 164.00

County, Alabama, which is more particularly described on Exhibit "A" attached hereto and made a part hereof;

TO HAVE AND TO HOLD unto Grantee, its successors and assigns forever; subject, however, to the following:


1. Ad valorem taxes for the year 1993;
2. Transmission Line Permit(s) to Alabama Power Company as shown by instrument(s) recorded in Deed 194, page 63; Deed 112, page 258 and Deed 181, page 228 in Probate Office;
3. Right(s)-of-Way(s) granted to State Highway Department by instrument(s) recorded in Deed 111, page 397 in Probate Office;
4. Rights acquired by Alabama Power Company through case set out in Lis Pendens 6, page 279 in the Probate Office.

Grantors hereby certify that the above described property does not constitute their homestead (as defined by Section 6-10-2 of the Code of Alabama (1975)).

Grantors do for themselves, their heirs, executors, administrators and assigns, covenant with 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 set forth hereinabove; that they have a good right to sell and convey the same as aforesaid; and that they will, and their heirs, executors and assigns shall, warrant and defend the same to Grantee, its successors and assigns forever against the lawful claims of all persons.

IN WITNESS WHEREOF, Grantors have hereunto set their hands and seals on or as of the 26<sup>th</sup> day of April, 1993.

 [Seal]  
Jack N. Roden

 [Seal]  
Joe Roden, Jr.



STATE OF ALABAMA

)

JEFFERSON COUNTY

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)

I, the undersigned, a notary public in and for said county in said state, hereby certify that Jack N. Roden and Joe Roden, Jr., whose names are signed to the foregoing instrument and who are known to me, acknowledged before me on this day that, being informed of the contents of the instrument, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 26 day of April, 1993.



Notary Public

[NOTARIAL SEAL]

My commission expires 11-13-94

**EXHIBIT "A"**

Legal Description

**PARCEL NO. 3**

A parcel of land located in the S.W. 1/4 of the S.W. 1/4 of Section 31, Township 19 South, Range 2 West, more particularly described as follows: Commence at the Northwest corner of said 1/4 - 1/4 Section; thence in an easterly direction along the northerly line of said 1/4 - 1/4 Section, a distance of 976.74 feet to the Point of Beginning; thence continue along last described course, a distance of 251.34 feet to the intersection with the westerly right-of-way line of U.S. Highway 31 South; thence 95 degrees, 55 minutes, 44 seconds right, in a southerly direction along said right-of-way line, a distance of 168.00 feet; thence 90 degrees, right, in a northwesterly direction, a distance of 250.00 feet; thence 90 degrees right, in a northeasterly direction, a distance of 142.04 feet to the Point of Beginning.

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