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SCA

SEND TAX NOTICE TO:
Peltown Realty Company
P.O. Box 509
Pelham, Alabama 35124_

STATE OF ALABAMA)
SHELBY COUNTY)

WARRANTY DEED

THIS WARRANTY DEED is executed and delivered by **Peltown Realty Company** (the "Grantor") to **The Industrial Development Board of the Town of Pelham** (the "Grantee") as of the 31st day of October, 1993.

Recitals

A. Pursuant to a deed (the "Deed") dated July 16, 1986 and recorded in Real Volume 85 at Page 445 in the Office of the Judge of Probate of Shelby County, Alabama, which deed was corrected by a Correction Deed dated October 20, 1986 and recorded in Real volume 097 at Page 97 in the said Judge of Probate's Office, W. David Upton, W.C. Stegall and W.P. Buck conveyed the real property (the "Real Property") described in the Deed and the Correction Deed to the Grantee.

B. The Grantor and the Grantee entered into that certain Lease Agreement dated as of October 1, 1986, pursuant to which the Grantee leased to the Grantor the Real Property and the improvements thereon or to be constructed thereon, and other property, all of which is described in the Lease.

C. Pursuant to that certain Sublease Agreement dated as of October 1, 1986 between the Grantor and Vulcan Threaded Products, Inc ("Vulcan"), the Grantor subleased the Real Property and the improvements thereon or to be constructed thereon and other property, all of which is described in said Sublease Agreement, to Vulcan.

D. Vulcan constructed a manufacturing facility and some related improvements on the Real Property. Among the related improvements is a metal building constructed by Vulcan along the western boundary of the Real Property. Inadvertently, the metal building was constructed in such a manner that it crossed the boundary line and encroached upon the property (the "Adjoining Property") lying immediately to the west of the Real Property.

E. The Grantor owns the property immediately to the west of the Real Property and in order to cure the encroachment referred to in Recital D and so that the metal building will be situated on the same parcel of property as Vulcan's manufacturing facility referred to in Recital C, above, the Grantor has agreed to convey the

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portion of the Adjoining Property more particularly described below to the Grantee.

Deed

KNOW ALL MEN BY THESE PRESENTS, that in consideration of Ten Dollars (\$10.00) and other good and valuable consideration paid to the Grantor by the Grantee, the receipt of which is hereby acknowledged, the Grantor does hereby grant, bargain, sell and convey unto the Grantee the following described real estate situated in Shelby County, Alabama, contiguous to the Real Property to-wit:

Commence at the southwest corner of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 12, Township 20 south, Range 3 west, Pelham, Shelby County, Alabama and run thence easterly along the south line of said quarter-quarter section a distance of 1,091.42' to a point; Thence turn 69°30'00" left and run northeasterly 480.00' to a point; Thence turn 1°30'55" right and continue northeasterly 331.34' to a point; Thence turn 112°00'50" left and run westerly along the south line of the Vulcan Threaded Products Company property line a distance of 788.41' to the point of beginning of the property being described; Thence continue along last described course a distance of 6.97' to a point; Thence turn 89°04'12" right and run northerly a distance of 306.66' to a point; Thence turn 178°41'59" right and run southerly a distance of 306.85' to the point of beginning, containing 1,069 square feet or 0.245 of an acre.

Together with all the rights, tenements, hereditaments and appurtenances thereto belonging or in any way appertaining.

This conveyance is subject to:

1. All easements, restrictions and encumbrances of record.
2. Ad valorem taxes for the 1994 tax year and all subsequent years.

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

And the Grantor does for itself and its successors and assigns, hereby covenant with the Grantee, its successors and assigns, that it is lawfully seized in fee simple of premises; that they are free from all encumbrances, unless otherwise noted above; that it has a good right to sell and convey the same as aforesaid,

that it will and its successors and assigns shall warrant and defend the same to the Grantee, its successors and assigns forever, against the lawful claims of all persons.

The legal description of the Real Property and the property conveyed in this deed, combined, is set out in Schedule 1 attached hereto.

IN WITNESS WHEREOF, the Grantor has caused this deed to be executed in its name and on its behalf, this 31st day of October, 19 93.

PELTOWN REALTY COMPANY

By William A. Upton Jr.
General Partner

By W. A. Upton
General Partner

By William F. Jenkins Jr.
General Partner

STATE OF ALABAMA)
Shelby COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that William A. Upton Jr., Kent Upton and William F. Jenkins Jr. whose names as partners of Peltown Realty Company, a general partnership, are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance they executed the same voluntarily on the day the same bears date as the act and deed of the said partnership.

Given under my hand and official seal this 13th day of Jan., 19 94.

Sanjiv D. Fleming
Notary Public

This instrument prepared by:

Edward J. Ashton
WALSTON, STABLER, WELLS,
ANDERSON & BAINS
505 20th Street North, Suite 500
P. O. Box 830642
Birmingham, Alabama 35283-0642
Telephone: (205) 2519600
Telecopier: (205) 251-0700

SCHEDULE 1

Commence at the southwest corner of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 12, Township 20 south, Range 3 west, Pelham, Shelby County, Alabama and run thence easterly along the south line of said quarter-quarter section a distance of 1,091.42' to a point; Thence turn 69°30'00" left and run northeasterly a distance of 480.00' to an iron (steel) pin; Thence turn 1°30'55" right and continue northeasterly a distance of 331.34' to an "X" in a concrete retaining wall marking the southeastern corner of subject property and the point of beginning of the parcel being described; Thence continue along last described course a distance of 109.72' to a point; Thence turn 12°10'14" right and run a distance of 252.80' to a point on the southerly margin of Crosscreek Trail, a public street in the City of Pelham, Alabama; Thence turn 124°10'04" left and run westerly along said margin of said street a distance of 103.25' to the P.C. (Point of Curvature) of a street curve to the right having a central angle of 29°41'30" and a radius of 662.59'; Thence run along the arc of said curve an arc distance of 343.37' to a point; Thence left 27°18'10" from tangent and run westerly 293.74' to a point; Thence turn 24°15'05" left and run Southwesterly a distance of 278.61' to a point; Thence turn 69°05'03" left and run southerly a distance of 306.66' to a point; Thence turn 89°04'12" left and run easterly a distance of 795.38' to the point of beginning, containing 7.40 acres. Property is marked on each corner with a steel pin, pipe, monument or "X" in concrete.

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01/20/1994-02119
10:56 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
005 MCD 19.50