

Inst # 1994-11390

MAIL TAX NOTICE TO:

Mr. & Mrs. Michael L. Cox  
2515 Caldwell Avenue  
Birmingham, Alabama 35205

04/07/1994-11390  
10:53 AM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE  
003 MCD 26.00

This instrument was prepared by  
Michael M. Partain, Attorney  
USX Corporation  
Fairfield, Alabama 35064

STATE OF ALABAMA  
COUNTY OF SHELBY

49,500.-  
Less mtg & 37,125.-

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, a Delaware corporation, hereinafter called "Grantor", by MICHAEL L. COX and wife, AMY GEORGE COX, hereinafter called "Grantees", receipt and sufficiency of which are hereby acknowledged, the said Grantor does hereby grant, bargain, sell, and convey unto the said Grantees for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, together with every contingent remainder and right of reversion, the following described real estate, **MINERALS AND MINING RIGHTS EXCEPTED**, situated in Shelby County, Alabama, to wit:

Lot 9, according to the survey of Heatherwood,  
8th Sector, Phase I, as recorded in Map Book 16,  
Page 118, in the Probate Office of Shelby  
County, Alabama.

RESERVING AND EXCEPTING, however, from this conveyance all of the coal, iron ore, gas, oil, methane, hydrocarbons, occluded natural gas, coalbed methane gas, gob gas, limestone, and all other minerals and non-mineral substances in and under said land, including water associated with the production of coalbed 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, coalbed methane gas, gob gas, limestone, and all other minerals and non-mineral substances in and under said land, including water associated with the production of coalbed 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, coalbed methane gas, gob 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 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 Grantees herein or by said Grantees' successors in title, or by any person, this deed made expressly subject to all such past or future injuries. It is understood by the Grantees 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.

Grantees have made their own independent inspections and investigations of said land, and is taking said land "AS IS, WHERE IS, AND WITH ALL FAULTS" and based solely and in reliance upon such inspections and investigations of said land. Grantor makes no representation, warranty, or agreement concerning the conditions of said land, the soil, or the sub-soil. Grantees, for themselves and their heirs and assigns, waives all claims, present and future, against Grantor based upon or in connection with the condition of said land, including but not limited to underground mines, tunnels, or sinkholes, and hereby releases Grantor from any liability whatsoever with respect thereto, and this covenant shall run with the land as against Grantees and all other successors in title.

TO HAVE AND TO HOLD unto the said Grantees for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, together with every contingent remainder and right of reversion, and to the heirs and assigns of such survivor, forever; SUBJECT, however, to the following: (a) Applicable zoning and subdivision regulations; (b) Taxes and assessments for the current tax year; (c) Building setback line of 35 feet reserved from Coshatt Trail as shown by recorded plat; (d) Public utility easements as shown by recorded plat; (e) Restrictions, covenants, and conditions as set out in instrument(s) recorded as Instrument #1992-24863 in said Probate Office; (f) Right(s)-of-Way(s) granted to Alabama Power Company by instrument(s) recorded in Deed Book 337, Page 267, in said Probate Office; (g) Easement(s) to South Central Bell Company as shown by instrument recorded in Real 119, Page 887, in said Probate Office; (h) Encroachments, overlaps, boundary line disputes, or other matters which would be disclosed by an accurate survey or inspection of the premises; and (i) All matters of public record affecting the land conveyed hereunder.

And the Grantor does for itself and for its successors and assigns covenant with the Grantees, Grantees' heirs 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 30<sup>th</sup> day of March, 1994.

ATTEST:

By: [Signature]  
Assistant Secretary

USX CORPORATION

By: [Signature]  
Its: W. W. Kiser, President

USX Realty Development,  
a Division of U. S. Steel Group,  
USX Corporation



STATE OF PENNSYLVANIA )  
COUNTY OF Allegheny )

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that W. W. Kiser, whose name as President of USX Realty Development, a Division of U. S. Steel 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 30th day of MARCH, 1994.

Lillian B. Grindle  
Notary Public

My Commission Expires

Notarial Seal  
Lillian B. Grindle, Notary Public  
Pittsburgh, Allegheny County  
My Commission Expires Dec. 1, 1997  
Member, Pennsylvania Association of Notaries

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