

THIS INSTRUMENT PREPARED BY:
William S. Wright
Balch & Bingham
P. O. Box 306
Birmingham, Alabama 35201
(205) 251-8100

STATE OF ALABAMA)
)
SHELBY COUNTY)
)
WARRANTY DEED

THIS INDENTURE, made and entered into on this the 22nd day of August, 1994, by and between **KIMBERLY-CLARK CORPORATION**, a corporation, hereinafter referred to as "Grantor", and **SOUTH GRANDE VIEW DEVELOPMENT CO., INC.**, a corporation, hereinafter referred to as "Grantee", whether one or more.

WITNESSETH:

THAT FOR AND IN CONSIDERATION OF the payment of **ONE MILLION SIX HUNDRED FIFTY THOUSAND AND NO/100 DOLLARS (\$1,650,000.00)**, by Grantee to Grantor, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor does hereby **GRANT, BARGAIN, SELL and CONVEY** unto the Grantee, the following described real estate situated in Township 21 South, Range 3 West, in Shelby County, Alabama:

PARCEL A:

Part of the South One Half of Section 16, Township 21 South, Range 3 West, Shelby County, Alabama and part of the North One Half of Section 21, Township 21 South, Range 3 West, Shelby County, Alabama, being more particularly described as follows:

From the Northeast corner of the Southeast 1/4 of Section 16, Township 21 South, Range 3 West, run in a southerly direction along the east line of said Southeast 1/4 for a distance of 91.08 feet to an existing iron pin being on the southwest right-of-way line of Big Oak Drive and being the point of beginning; thence continue in a southerly direction along the east line of said Southeast 1/4 of said Section 16 for a distance of 2572.11 feet to an existing 3" capped iron pipe; thence turn an angle to the right of 0°25'42" and run in a southerly direction along the east line of the Northeast 1/4 of said Section 21 for a distance of 1324.58 feet to an existing iron crimped pin; thence turn an angle to the left of 0°18'01" and run in a southerly direction for a distance of 56.78 feet to an existing iron pin being on the northerly right-of-way line of Shelby County Highway No. 12; thence turn an angle to the right of 67°39'34" and run in a southwesterly direction along the northwesterly right-of-way line of said Shelby County Highway No. 12 for a distance of 975.59 feet to the point of beginning of a curve; said curve being concave in a southeasterly direction and having a central angle of 21°01'25" and a radius of 1949.87 feet; thence turn an angle to the left and run in a southwesterly direction along the arc of said curve for a distance of 715.47 feet to the end of said curve;

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thence run in a southwesterly direction along a line tangent to the end of said curve and also being along the northwest right-of-way line of Shelby County Highway No. 12 for a distance of 170.66 feet to the point of beginning of a new curve; said new curve being concave in a northwesterly direction and having a central angle of $43^{\circ}49'36''$ and a radius of 936.96 feet; thence turn an angle to the right and run along the arc of said curve and along the northwesterly right-of-way line of said Shelby County Highway No. 12 for a distance of 716.70 feet to the end of said curve; thence run in a westerly direction along a line tangent to the end of said curve and along the northerly right-of-way line of said Shelby County Highway No. 12 for a distance of 170.75 feet to an existing iron pin; thence turn an angle to the right of $89^{\circ}29'21''$ and run in a northerly direction for a distance of 232.43 feet; thence turn an angle to the left of $88^{\circ}42'11''$ and run in a westerly direction for a distance of 195.50 feet to an existing iron pin; thence turn an angle to the left of $69^{\circ}16'27''$ and run in a southwesterly direction for a distance of 252.71 feet to an existing iron pin being on the northerly right of way line of said Shelby County Highway No. 12; thence turn an angle to the right of $68^{\circ}29'17''$ and run in a westerly direction along the northerly right-of-way line of said Shelby County Highway No. 12 for a distance of 710.68 feet to an existing iron pin being at the intersection of the northeasterly right-of-way line of the 100 foot Southern Railroad right-of-way; thence turn an angle to the right of $73^{\circ}16'56''$ and run in a northwesterly direction along the northeast right-of-way line of said Southern Railroad right-of-way for a distance of 1863.37 feet to the point of beginning of a curve; said curve being concave in a northeasterly direction and having a deflection of $0^{\circ}58'41''$ and a chord of 92.56 feet; thence turn an angle to the right ($0^{\circ}58'41''$ to the chord of said curve) and run along the arc of said curve for a distance of 92.57 feet to an existing iron pin being the point of beginning of another curve; said newest curve having a deflection of $3^{\circ}34'17''$ and a chord of 199.39 feet; thence turn an angle to the right ($3^{\circ}57'20''$ from last mentioned chord line) and run along the arc of said curve for a distance of 199.52 feet; thence turn an angle to the right ($91^{\circ}53'25''$ from last mentioned chord line) and run in a northeasterly direction for a distance of 311.40 feet to an existing rock pile; thence turn an angle to the left of $91^{\circ}02'56''$ and run in a northwesterly direction for a distance of 355.83 feet to an existing old rebar; thence turn an angle to the right of $97^{\circ}29'31''$ and run in an easterly direction for a distance of 294.26 feet to an existing old open top iron; thence turn an angle to the left of $91^{\circ}47'47''$ and run in a northerly direction for a distance of 951.85 feet; thence turn an angle to the right of 90° and run in an easterly direction for a distance of 175.0 feet; thence turn an angle to the left of 90° and run in a northerly direction for a distance of 262.46 feet; thence turn an angle to the right of $90^{\circ}27'07''$ and run in an easterly direction for a distance of 103.28 feet; thence turn an angle to the left of $86^{\circ}19'26''$ and run in a northerly direction for a distance of 521.27 feet to an existing iron rebar; thence turn an angle to the left of $1^{\circ}45'39''$ and run in a northerly direction for a distance of 995.54 feet to a point on the north line of the Southwest 1/4 of Section 16; thence turn an angle to the right of $92^{\circ}34'22''$ and run in an easterly direction along the north line of said SW 1/4 and also the SE 1/4 of said Section 16 for a distance of 3233.12 feet to an existing iron pin being on the southwest right-of-way line of Big Oak Drive; thence turn an angle to the right of $47^{\circ}26'25''$ and run in a southeasterly direction along the southwest right-of-way line

of Big Oak Drive for a distance of 123.62 feet, more or less, to the point of beginning.

PARCEL B:

Part of the Northeast 1/4 and part of the Southeast 1/4 of Section 21, Township 21 South, Range 3 West, Shelby County, Alabama, being more particularly described as follows:

Beginning at the Southeast corner of the NE 1/4 of the SE 1/4 of Section 21, Township 21 South, Range 3 West, Shelby County, Alabama, run in a northerly direction along the east line of said 1/4-1/4 Section for a distance of 1332.17 feet to an existing old rebar being the Northeast corner of said 1/4-1/4 Section; thence turn an angle to the left of $0^{\circ}07'22''$ and run in a northerly direction for a distance of 1181.99 feet to an existing iron pin being on the southeast right-of-way line of Shelby County Highway No. 12; thence turn an angle to the left of $112^{\circ}20'26''$ and run in a southwesterly direction along the southeast right-of-way line of said Shelby County Highway No. 12 for a distance of 303.55 feet to an existing iron pin; thence turn an angle to the left of $91^{\circ}30'49''$ and run in a southeasterly direction for a distance of 200.0 feet to an existing iron pin; thence turn an angle to the right of $91^{\circ}30'49''$ and run in a southwesterly direction for a distance of 200.0 feet; thence turn an angle to the right of $88^{\circ}29'11''$ and run in a northwesterly direction for a distance of 200.0 feet to a point of intersection with the southeasterly right-of-way line of Shelby County Highway No. 12; thence turn an angle to the left of $88^{\circ}29'11''$ and run in a southwesterly direction along said southeast right-of-way line of said Shelby County Highway No. 12 for a distance of 439.16 feet to the point of beginning of a curve; said curve being concave in a southeasterly direction and having a central angle of $21^{\circ}01'25''$ and a radius of 1869.87 feet; thence turn an angle to the left and run in a southwesterly direction along the arc of said curve for a distance of 686.11 feet; thence run in a southwesterly direction along a line tangent to the end of said curve and along the southeasterly right-of-way line of said Shelby County Highway No. 12 for a distance of 39.47 feet; thence turn an angle to the left of $38^{\circ}57'32''$ and run in a southerly direction for a distance of 94.92 feet; thence turn an angle to the left of $56^{\circ}57'58''$ and run in a southeasterly direction along the northeast right-of-way line of Shelby County Highway No. 80 for a distance 493.83 feet to the point of beginning of a curve; said curve being concave in a southwesterly direction and having a central angle of $22^{\circ}09'03''$ and a radius of 1472.53 feet; thence turn an angle to the right and run in a southeasterly direction along the arc of said curve for a distance of 569.29 feet to an existing iron pin; thence turn an angle to the left ($75^{\circ}04'16''$ from the chord of last mentioned curve) and run in a northeasterly direction for distance of 203.42 feet to an existing old open top iron pin; thence turn an angle to the right of 90° and run in a southeasterly direction for a distance of 200.0 feet to an existing iron pin; thence turn an angle to the right of 90° and run in southwesterly direction for a distance of 203.49 feet to a point of intersection with the northeast right-of-way line of Shelby County Highway No. 80; thence turn an angle to the left of $86^{\circ}49'15''$ and run in a southeasterly direction along the northeast right-of-way line of said Shelby County Highway No. 80 for a distance of 467.76 feet to the point of beginning of a curve; said curve being concave in a northeasterly direction and having a

central angle of $68^{\circ}30'11''$ and a radius of 533.13 feet; thence turn an angle to the left and run along the arc of said curve and along the northeasterly right-of-way line of said Shelby County Highway No. 80 for a distance of 637.41 feet to the end of said curve; thence run in an easterly direction along the northerly right-of-way line of Shelby County Highway No. 80 and along a line tangent to the end of said curve for a distance of 31.83 feet to a point of intersection with the east line of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 21, Township 21 South, Range 3 West; thence turn an angle to the left of $91^{\circ}34'16''$ and run in a northerly direction along the east line of said SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ for a distance of 75.34 feet, more or less, to the point of beginning.

PARCEL C:

Part of the East One-Half of Section 21, Township 21 South, Range 3 West, Shelby County, Alabama, being more particularly described as follows:

Beginning at the southwest corner of the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section 21, run in an easterly direction along the south line of said $\frac{1}{4}$ - $\frac{1}{4}$ Section for a distance of 1320.19 feet to an existing old capped iron; thence turn an angle to the right of $88^{\circ}40'37''$ and run in a southerly direction along the west line of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 21 for a distance of 1329.08 feet to an existing old capped iron being the southwest corner of the SE $\frac{1}{4}$ of SE $\frac{1}{4}$; thence turn an angle to the left of $88^{\circ}34'16''$ and run in an easterly direction along the south line of said SE $\frac{1}{4}$ of SE $\frac{1}{4}$ for a distance of 1320.88 feet to the southeast corner of said Section being an old open top iron; thence turn an angle to the left of $91^{\circ}33'50''$ and run in a northerly direction for a distance of 1176.79 feet to an existing iron pin being on the southerly right-of-way line of Shelby County Highway No. 80; thence turn an angle to the left of $88^{\circ}25'44''$ and run in a westerly direction along the southerly right-of-way line of Shelby County Highway No. 80 for a distance of 34.03 feet to the point of beginning of a curve; said curve being concave in a northeasterly direction and having a central angle of $68^{\circ}30'11''$ and a radius of 613.13 feet; thence turn angle to the right and run in a westerly, northwesterly direction along the arc of said curve for a distance of 733.06 feet to the point of ending of said curve; thence run in a northwesterly direction along a line tangent to the end of said curve and along the southwesterly right-of-way line of Shelby County Highway No. 80 for a distance of 487.60 feet to the point of beginning of a new curve; said new curve being concave in a southwesterly direction and having a central angle of $29^{\circ}10'$ and a radius of 1392.53 feet; thence turn an angle to the left and run in a northwesterly direction along the arc of said curve for a distance of 708.87 feet to the end of said curve; thence run in a northwesterly direction along the southwest right-of-way line of Shelby County Highway No. 80 and along a line tangent to the end of said curve for a distance of 497.56 feet; thence turn an angle to the left of $42^{\circ}01'14''$ and run in a westerly direction for a distance of 103.12 feet to a point on the southeasterly right-of-way line of Shelby County Highway No. 12; thence turn an angle to the left of $(17^{\circ}20'37''$ to the chord of a new curve) and run in a southwesterly and westerly directions along the arc of the southeasterly right-of-way line of Shelby County Highway No. 12 (said curved right-of-way line being concave in a northwesterly direction and having a central angle of $38^{\circ}13'54''$ and a radius of 1016.96 feet) for a

distance of 678.59 feet; thence run in a westerly direction along the southerly right-of-way line of Shelby County Highway No. 12 and along a line tangent to the end of said curve for a distance of 365.55 feet to a point of intersection with the west line of the East 1/2 of said Section 21; thence turn an angle to the left of 90°30'39" and run in a southerly direction for a distance of 1336.37 feet, more or less, to the point of beginning.

TOGETHER WITH all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining.

TO HAVE AND TO HOLD unto the Grantee, its successors and assigns in fee simple, forever.

THIS CONVEYANCE IS MADE SUBJECT, HOWEVER, to the following:

1. Rights, easements, covenants, restrictions and title granted by Grantor to Alabama Power Company by instruments dated February 25, 1991 and September 4, 1990.
2. Rights, easements, covenants, restrictions and title granted by Grantor to the City of Alabaster by instrument dated March 13, 1986.
3. Rights, easements, covenants, restrictions and title granted by Grantor to Francis M. Randall and wife, Harriett A. Randall by instrument dated September 10, 1975.
4. Decree of Condemnation by Probate Court entered in Case No. 28-197 in the Shelby County, Alabama Probate Court in the matter styled Alabaster Water & Gas Board vs. Kimberly Clark Corporation & Annette Skinner, Tax Collector.
5. All easements, restrictions, rights-of-way, roadways, public utilities and other easements heretofore filed for record which affect such property, mineral and mining rights owned by others, 1994 ad valorem taxes and all other ad valorem taxes as may be assessed or become due after the date hereof and all liens therefor, all of which shall be paid by Grantee, and any exceptions listed in any title commitment obtained by Grantee.
6. Encroachment described on Exhibit A hereto.

IN WITNESS WHEREOF, Kimberly-Clark Corporation has caused these presents to be executed by J. G. Grosklaus, who is duly authorized thereto.

ATTEST:

**GRANTOR:
KIMBERLY-CLARK CORPORATION**

By B. H. Paul
Its Assistant Secretary
[CORPORATE SEAL]

By J. G. Grosklaus
J. G. Grosklaus
Its: Executive Vice President



STATE OF GEORGIA)

COUNTY OF FULTON)

I, E. JEAN HOGUE, a Notary Public in and for said County in said State, hereby certify that J. G. Grosklaus, whose name as Executive Vice President, of Kimberly-Clark Corporation, 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, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand this the 22nd day of Aug., 1994.

NOTARIAL SEAL

E. Jean Hogue
Notary Public
My commission expires: February 18, 1996.
Notary Public, Fulton County, Georgia.

EXHIBIT A

DESCRIPTION OF ENCROACHMENT ON PARCEL C

Encroachment across that portion of the west boundary line of Parcel C which runs along the west line of the SE 1/4 of Section 21, Township 21 South, Range 3 West.

CERTIFICATE OF ASSISTANT SECRETARY
OF
KIMBERLY-CLARK CORPORATION

I, BARBARA H. PAUL, HEREBY CERTIFY that I am the duly appointed, qualified and acting Assistant Secretary of Kimberly-Clark Corporation, a corporation organized under the laws of the State of Delaware (the "Corporation"), and I HEREBY FURTHER CERTIFY that the resolutions attached hereto as Exhibit A were duly adopted by the Executive Committee of the Board of Directors of the Corporation at a meeting thereof duly held on November 18, 1993, and said resolutions have not been amended, modified or rescinded and are in full force and effect on the date hereof.

IN WITNESS WHEREOF, I have hereunto set my hand as Assistant Secretary and have affixed the seal of the Corporation on this 21st day of August, 1994.

KIMBERLY-CLARK CORPORATION

[SEAL]

Barbara H. Paul
Barbara H. Paul
Assistant Secretary

EXHIBIT A

RESOLVED, that the Corporation be, and it hereby is, authorized to sell up to 12,500 acres of the Property in one or more transactions to one or more third parties.

RESOLVED, that James G. Grosklaus, in his capacity as an officer of the Corporation, and any officer or employee of the Corporation designated in writing by him, be, and he hereby is, authorized to execute such deeds, agreements, assignments and other documents, and to take such other action, on behalf of the Corporation which he deems necessary or desirable to accomplish the purposes and intent of the foregoing resolution.

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