

STATE OF ALABAMA

COUNTY OF Jefferson & Shelby

This instrument was prepared by:
POPPER & WISNIEWSKI
One North LaSalle Street
Suite 3300
Chicago, Illinois 60602

VERIFIED CLAIM OF LIEN

Steel Ceilings Inc., a corporation qualified under the laws of the State of OHIO, by and through ALLAN R. POPPER, its attorney and agent, who has personal knowledge of the facts herein set out, files this statement in writing, verified by his oath.

Steel Ceilings Inc., a corporation, claims a lien upon the following property situated in Jefferson & Shelby County, Alabama, more particularly described as follows, to-wit:

Parcel #58-10-4-19-0-001-001
See Attached Legal Description

Commonly known as AM South Riverchase Project, 250 Riverchase Parkway East,
Hoover, AL 35244.

This lien is claimed, separately and severally, as to the land, buildings and improvements located thereon to the extent of the entire lot or parcel which is contained within a city or town. If said land is not within a city or town, this lien is claimed, separately and severally, as to the buildings and improvements located on the above described real estate, plus one (1) acre of land surrounding and contiguous thereto. This lien is claimed on the above mentioned real estate, plus improvements, to secure the indebtedness owned by Alabama Specialties, Inc., in the amount of Thirteen Thousand, Seven Hundred Ninety Six and 00/100 (\$13,796.00) Dollars, which is due and unpaid.

This sum of money is due and owing for Acoustical metal ceiling panels, insulation and support and related materials and/or labor, said materials and labor being used in the erection of improvements on the above described property.

The name(s) of the owner(s) or proprietor(s) of the said property is (are): The Harbert-Equitable Joint Venture.

Steel Ceilings Inc.

1995-27835

BY:

ALLAN R. POPPER
Attorney and agent for
Steel Ceilings Inc.

10/03/1995-27835
02:58 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE

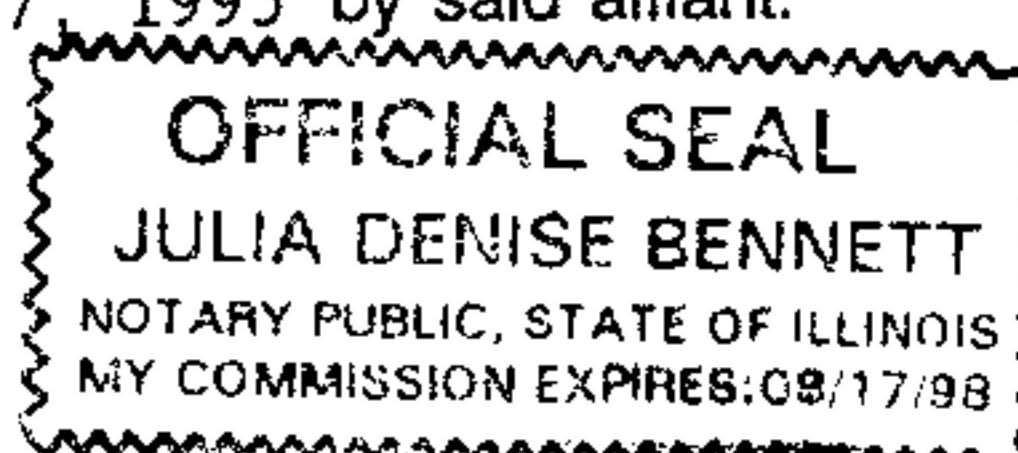
020 SNA 56.00

Before me, the undersigned, a Notary Public, in and for the County of Cook, State of Illinois personally appeared ALLAN R. POPPER, who being duly sworn, doth depose and say: that he has personal knowledge of the facts set forth in the foregoing statement of lien and that the same are true and correct to the best of his knowledge and belief.

ALLAN R. POPPER
Attorney and agent for
Steel Ceilings Inc.

Subscribed and sworn to before me on September 27, 1995 by said affiant.

JULIA DENISE BENNETT, Notary Public



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EXHIBIT "A"

The following described tracts of land are located in Jefferson and Shelby Counties, Alabama; together containing 1,350 acres, more or less.

JEFFERSON COUNTY, ALABAMA:Tract 1

A tract of land situated in the SW 1/4 of the SE 1/4 of Section 13, Township 19 South, Range 2 West, Jefferson County, Alabama and being more particularly described as follows:

Commence at the southwest corner of the SW 1/4 of the SE 1/4, Section 13, Township 19 South, Range 2 West; thence east along the south line of said quarter-quarter section 661.57 feet to the point of beginning; said point being the centerline of US Highway 31; thence continue along the last stated course 286.44 feet to a point; thence 135 degrees 57' 00" left 797.28 feet to a point, said point being in the centerline of US Highway 31; thence 161 degrees 23' 30" left and along the centerline of US Highway 31, 624.04 feet to the point of beginning and containing 1.823 acres, more or less. Less and except from the above description any dedicated rights of way which pertain to US Highway 31. Except any mineral and mining rights not owned by Grantors.

Tract 2

The following is a description of a tract of land situated in the SE 1/4 of SW 1/4 of Section 18, Township 19 South, Range 2 West, Jefferson County, Alabama and being more particularly described as follows:

Commence at the northwest corner of the SE 1/4 of SW 1/4 of Section 18, Township 19 South, Range 2 West for a point of beginning; thence S 87 degrees 59' 30" E, 1,055.06 feet to a point; thence S 00 degrees 02' 40" E, 1,330.16 feet to a point; thence N 87 degrees 48' 50" W, 1,052.76 feet to a point, said point being the SW cor. SE 1/4 of SW 1/4 of said Section 18; thence N 00 degrees 08' 40" W., 1,326.97 feet to the point of beginning and containing 32.120 acres, more or less. Mineral and mining rights not owned by Grantors excepted.

Tract 3

The following is a description of a tract of land situated in the NW 1/4 of Section 19, Township 19 South, Range 2 West, Jefferson County, Alabama and being more particularly described as follows:

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Commenced at the North-east corner of the NW 1/4 of Section 19 for a point of beginning; thence S 00 degrees 04' 50" W, 525.71 feet to a point, said point being the intersection of the west line of said Section 19 and the centerline of a Creek; thence follow the meanders of said Creek in a southeasterly direction being described by the following Random Traverse; thence S 67 degrees 30' 10" E, 223.45 feet; thence S 80 degrees 12' 20" E, 154.92 feet; thence S 58 degrees 58' 20" E, 221.90 feet; thence S 30 degrees 16' 30" E, 154.55 feet; thence S 17 degrees 49' 40" E, 250 feet, more or less, to the centerline of the Cahaba River; thence follow the meanders of the Cahaba River in a southeasterly direction to the intersection of the East line of the SW 1/4 of NW 1/4 of said Section 19; thence N 00 degrees 12' 20" W, 260 feet, more or less, to the Southeast corner of the NW 1/4 of NW 1/4 of said Section 19; thence continue along the last stated course for 1,322.87 feet to the northeast corner of NW 1/4 of NW 1/4; thence N 87 degrees 48' 50" W, 1,314.08 feet to the point of beginning and containing 27.591 acres. Mineral and mining rights not owned by Grantors excepted.

Tract 4

Part of the W 1/2 of SE 1/4, Section 13, Township 19 South, Range 3 West, Jefferson County, Alabama, said part being more particularly described as follows:

From the southeast corner of the NW 1/4 of the SE 1/4, run west along the south line of said quarter-quarter section for a distance of 420 feet, thence turn an angle to the right of 87 degrees 26' and run north for a distance of 18.17 feet to the center of Lorna Road, said point being the point of beginning of the property herein described, thence continue north along the same course for a distance of 295.83 feet, thence turn an angle to the right of 92 degrees 34' and run easterly for a distance of 50 feet, thence turn an angle to the left of 92 degrees 34' and run northerly for a distance of 264 feet to a point in the center of the Old Montgomery Highway, thence turn an angle to the left of 114 degrees 32' and run southwesterly along the road for a distance of 301.58 feet, thence turn an angle to the left 8 degrees 49' and run southwesterly along the road for a distance of 285.70 feet, thence turn an angle to the left of 84 degrees 21' and run southeasterly for a distance of 497.48 feet to a point in the center of Lorna Road, thence turn an angle to the left of 97 degrees 46' and run northeasterly along the center of Lorna Road for a distance of 284.61 feet to the point of beginning, subject to the existing rights-of-ways of Lorna Road and the Old Montgomery Highway. Mineral and mining rights not owned by Grantors excepted.

Tract 5

Part of the W 1/2 of SE 1/4, Section 13, Township 19 South, Range 3 West, Jefferson County, Alabama, said part being more particularly described as follows:

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From the southeast corner of the NW 1/4 of SE 1/4 of said Section 13, run West along the south line of said quarter-quarter section for a distance of 420 feet, thence turn an angle to the right of 87 degrees 26 minutes and run north for a distance of 18.17 feet to a point on the centerline of Lorna Road, thence turn an angle to the left of 125 degrees 28 minutes and run in a southwesterly direction along the center of Lorna Road for a distance of 284.63 feet to a point of beginning of the property herein described, thence turn an angle to the right of 97 degrees 46 minutes and run northwesterly for a distance of 497.48 feet to a point in the center of Old Montgomery Highway, thence turn an angle to the left of 92 degrees 31 minutes and run southwesterly along the road for a distance of 234.22 feet, thence turn an angle to the left of 8 degrees 48 minutes and run southwesterly along the road for a distance of 219.44 feet to an intersection with the south line of said NW 1/4 of SE 1/4 at a point inside the right-of-way of US Highway 31, thence turn an angle to the left of 87 degrees 25 minutes and run southeasterly for a distance of 500.88 feet to a point on the centerline of Lorna Road, thence turn an angle to the left of 89 degrees 02 minutes and run northeasterly along the center of Lorna Road for a distance of 176.53 feet to the point of beginning, subject to the existing rights-of-ways of US Highway 31, Lorna Road, and Old Montgomery Highway. Mineral and mining rights not owned by Grantors excepted.

Said property is subject to that certain lease dated June 1, 1973, by and between Chaco Lake Properties, Ltd., Lessor, and Mr. and Mrs. Albert H. Beard, Lessees.

Tract 6

All that part of the SW 1/4 of the SE 1/4, lying southwest of Patton Creek, in Section 23, Township 19 South, Range 3 West, situated in Jefferson County, Alabama, except a triangle in the southwest corner, described as follows:

Begin at the southwest corner of said quarter-quarter section, run thence north along the west line of said quarter-quarter section for a distance of 12 feet; thence turn an angle to the right of 135 degrees 06 minutes and run southeasterly to intersection with the south line of said quarter-quarter section; run thence westwardly along said south line to the point of beginning.

Tracts 7 and 12 Combined

That part of Section 24, Township 19 South, Range 3 West and Section 19, Township 19 South, Range 2 West, Jefferson County, Alabama, more particularly described as follows:

Begin at southwest corner of NW 1/4 of SW 1/4 of Section 24, Township 19 South, Range 3 West, Jefferson County, Alabama, thence north and along the west line of said section for a distance of 496.69 feet to the intersection of the southeasterly right-of-way line of the Old Montgomery Highway; thence turn an angle to the right 30 degrees 20 minutes and run northwesterly and along the south-

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easterly right-of-way line of said highway for a distance of 310.5 feet; thence turn an angle to the right of 79 degrees 02 minutes and run southeasterly for a distance of 200 feet; thence turn an angle to the left of 79 degrees 02 minutes and run northeasterly for a distance of 125 feet; thence turn an angle to the right of 79 degrees 02 minutes and run southeasterly for a distance of 30 feet; thence turn an angle to the left 77 degrees 02 minutes and run northeasterly for a distance of 182.46 feet; thence turn an angle to the left of 98 degrees 11 minutes and run northwesterly for a distance of 46.5 feet; thence turn an angle right 1 degrees 10 minutes and run northeasterly and parallel with the southeasterly right-of-way line of the Old Birmingham Montgomery Highway for a distance of 1,160.12 feet; thence turn an angle to the right of 141 degrees 50 minutes and run in a southerly direction for a distance of 338.27 feet; thence turn an angle to the left 140 degrees 02 minutes and run northeasterly for a distance of 424.75 feet; thence turn an angle to the right 140 degrees and run in a southerly direction for a distance of 397.19 feet; thence turn an angle to the left of 77 degrees 53 minutes and run in an easterly direction for a distance of 419.11 feet; thence turn an angle to the left of 102 degrees 07 minutes and run in a northerly direction for a distance of 1,100.25 feet to a point on the north line of the SE 1/4 of NW 1/4 of said Section 24; thence east and along the north line of said quarter-quarter section for a distance of 947.16 feet, more or less, to the southwest corner of the NW 1/4 of the NE 1/4 of said Section 24; thence north and along the west line of the said NW 1/4 of the NE 1/4 to the northwest corner of said quarter-quarter section; thence east and along the north line of said Section 24 to the northeast corner of the NE 1/4 of the NE 1/4 of said Section 24; thence south and along the east line of said Section 24 to the intersection of said east line with the Cahaba River; thence turn to the left and run in an easterly direction upstream along the meanderings of the Cahaba River to the point where the Cahaba River intersects the east line of the SW 1/4 of the NE 1/4 of Section 19, Township 19 South, Range 2 West; thence turn to the right and run southerly along the east line of said SW 1/4 of the NE 1/4 of said Section 19 to the south line of the NE 1/2 of said Section 19; thence turn to the right and run westerly along said south line of the NE 1/2 of said Section 19 to the west line of said Section 19 which line is the east line of Section 24, Township 19 South, Range 2 West; thence continue westerly along the south line of the NE 1/4 of said Section 24 to the southwest corner thereof; thence south and along the east line of NE 1/4 of the SW 1/4 of said Section 24 to the north bank of the Cahaba River; thence run westerly and along the meanderings of the north bank of said river to the intersection thereof with the south line of the NW 1/4 of the SW 1/4 of said Section 24; thence west and along the south line of the said NW 1/4 of the SW 1/4 of said Section 24, to the point of beginning. EXCEPT that part conveyed to Vivian Strickland Timmons, and recorded in

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Deed Volume 7032, Page 459, in the Probate
Office of Jefferson County, Alabama. EXCEPT
MINERALS AND MINING RIGHTS NOT OWNED BY GRANTORS.

Tract 8

That part of the Southwest Quarter of the Southeast Quarter
(SW 1/4 of SE 1/4) of Section 13, Township 19, South, Range
3 West, more particularly described as follows:

Commence at the Northeast corner of the South-
west Quarter of the Southeast Quarter of Sec-
tion 13, Township 19, South, Range 3, West; thence
run West along the North line of said quarter-
quarter section 157.20 feet to a point on the
Southeasterly line right-of-way line of the Old
Montgomery Highway; thence run Southwesterly
along said right-of-way line for 12.0 feet to
the point of beginning of the tract hereby con-
veyed; thence continue Southwesterly along said
right-of-way line, and said line extended, run-
ning parallel to and 95 feet Southeastly from
the center line of said Old Montgomery Highway
for 527.0 feet; thence 98 degrees, 35 minutes left
and run Southeastly for 420 feet; thence 98
degrees 35 minutes right and run Southwesterly
for 361.08 feet to a point on the Easterly
right-of-way line of US Highway 831; thence
79 degrees 16 minutes left and run Southeastly
along said right-of-way line for 176.20 feet;
thence 19 degrees 19 minutes left and run South-
easterly for 468.45 feet to a point on the South
line of said SW 1/4 of SE 1/4 of Section 13;
thence 41 degrees 14 minutes left and run East
along the South line of quarter-quarter section
for 366.62 feet to the Southeast corner of said
quarter-quarter section; thence 91 degrees 12
minutes 45 seconds left and run North along the
East line of said quarter-quarter section for
1,254.63 feet; to a point which is 67 feet South
of the Northeast corner of said quarter-quarter
section; thence 100 degrees 02 minutes 45 seconds
left and run Southwesterly for 336.40 feet; thence
83 degrees 30 minutes 30 seconds right and run
Northwesterly for 130.10 feet to the point of
beginning. Minerals and mining rights not owned
by Grantors excepted.

Also all that part of said Southwest Quarter of Southeast Quarter
(SW 1/4 of SE 1/4) of Section 13, Township 19, South, Range 3,
West, which lies Southeastly of the right-of-way of the Old
Montgomery Highway, and Northwestly of the most Northwestly
line of the last above described real property. Minerals and
mining rights not owned by Grantors excepted.

Tract 9

Part of the SW 1/4 of the NE 1/4 of Section 23, Township 19 South,
Range 3 West, more particularly described as follows:

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Begin at the Northeast corner of said 1/4-1/4 section; thence South and along East line of said 1/4-1/4 section for a distance of 283.2 feet to point of beginning of the Tract herein described; from the point of beginning thus obtained continue South and along East line of said 1/4-1/4 section for a distance of 285.45 feet; thence turn an angle to the right of 51 degrees 44'30" and run southwardly for a distance of 1203.6 feet to a point in the South line of said 1/4-1/4 section; thence West and along the South line of said 1/4-1/4 section to the Southwest corner of said 1/4-1/4 section; thence North and along the West line of said 1/4-1/4 section to the Southeast right of way line of that certain highway known as Bessemer-Montgomery Short Cut Highway; thence northeastwardly and along the Southeast right of way line of said highway to a point in the North line of said 1/4-1/4 section; thence southeastwardly for a distance of 420.8 feet to point of beginning. Minerals and mining rights not owned by Grantors excepted.

Tract 10

Part of the SE 1/4, Section 23, Township 19 South, Range 3 West, more particularly described as follows:

Begin at the Northeast corner of said 1/4 section; thence South and along East line of said 1/4 section for a distance of 120 feet; thence 102 degrees 19-1/2' right for a distance of 185.1 feet; thence 36 degrees 52' left for a distance of 390.6 feet; thence 14 degrees 14' left for a distance of 185 feet; thence 34 degrees 43' left for a distance of 65 feet; thence 58 degrees left for a distance of 301.3 feet; thence 87 degrees right for a distance of 160 feet; thence 89 degrees right for a distance of 347.94 feet; thence 98 degrees left for a distance of 480.8 feet; thence 81 degrees left for a distance of 300.63 feet; thence 92 degrees left for a distance of 337.63 feet; thence 111 degrees 16' right for a distance of 133.8 feet; thence 20 degrees 31' left for a distance of 90.5 feet; thence 6 degrees 03' right for a distance of 103.3 feet; thence 28 degrees 55' right for a distance of 103.8 feet; thence 11 degrees 40' left for a distance of 177.8 feet; thence 12 degrees 38' right for a distance of 154 feet; thence 15 degrees 15' left for a distance of 109.8 feet; thence 1 degree 46' left for a distance of 74.4 feet; thence 52 degrees 08' left for a distance of 58 feet, more or less, to the Northwest bank of the Cahaba River; thence Southwesterly following the meandering of the Northwest bank of said river to the South line of said 1/4 section; thence Westwardly and along the South line of said 1/4 section for a distance of 630.13 feet, more or less, to the center of Patton Creek; thence in a Northwestly & westerly direction along the center of Patton Creek to the West line of the SW 1/4 of SE 1/4 of said section; thence North and along the West line of said 1/4 section to a point where said 1/4 section line intersects the Southeast right of way line of highway known as Bessemer-Montgomery Short Cut Highway; thence Northeastly and along the Southeastly right of way line of said highway to the intersection thereof with the North line of said 1/4 section; thence East and along the North line of said 1/4 section to the point of beginning.

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Said property is subject to that certain lease dated March 20, 1973, by and between Chace Lake Properties, Ltd., Lessor, and Messie Davis, a widow, Lessee.

Tract 11

Part of the SE 1/4 of SE 1/4, Section 23, Township 19 South, Range 3 West, more particularly described as follows:

Begin at the Northeast corner of the NE 1/4 of the SE 1/4 of said section; thence South and along East line of said 1/4-1/4 section for a distance of 120 feet; thence 102 degrees 19-1/2' right for a distance of 185.1 feet; thence 36 degrees 52' left for a distance of 390.6 feet; thence 14 degrees 14' left for a distance of 105 feet; thence 34 degrees 43' left for a distance of 65 feet; thence 58 degrees left for a distance of 101.3 feet; thence 87 degrees right for a distance of 160 feet; thence 89 degrees right for a distance of 347.94 feet; thence 98 degrees left for a distance of 450.8 feet; thence 81 degrees left for a distance of 300.63 feet; thence 92 degrees left for a distance of 337.63 feet; thence 111 degrees 16' right for a distance of 133.8 feet; thence 20 degrees 31' left for a distance of 90.3 feet; thence 6 degrees 03' right for a distance of 103.3 feet; thence 28 degrees 55' right for a distance of 103.9 feet; thence 11 degrees 40' left for a distance of 177.8 feet; thence 12 degrees 38' right for a distance of 154 feet; thence 13 degrees 15' left for a distance of 109.8 feet; thence 1 degree 46' left for a distance of 7.6 feet to point of beginning of the Tract herein described; from the point of beginning thus obtained, turn an angle of 97 degrees 51' left for a distance of 122.2 feet; thence turn an angle of 18 degrees 02' left for a distance of 227.8 feet to a point in the Westerly right of way line of the Old Montgomery Highway; thence turn an angle to the right and run Southwardly along the Westerly right of way line of said highway for a distance of 30 feet; thence turn an angle to the right and run southerly and parallel to the above mentioned 227.8 foot line for a distance of 227.8 feet; thence turn an angle of 18 degrees 02' right for a distance of 123 feet, more or less, to a point 30 feet Southerly of point of beginning if the line determining the point of beginning be extended Southerly along the same bearing; thence turn an angle to the right and run Northwardly for a distance of 30 feet to the point of beginning.

Detached, Unnumbered Tract

West 1/2 of SW 1/4, Section 24, Township 19 South, Range 3 West.

Tract 12 (Combined with Tract 7)

Tract 13

That part of the NW 1/4 of the SW 1/4 and that part of the SW 1/4 of the NW 1/4, of Section 24, Township 19 South, Range 3 West, more particularly described as follows:

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Begin at the Northwest corner of said NW 1/4 of SW 1/4 and run thence Southwardly along the West line thereof for a distance of 189.84 feet; thence turn an angle to the left of 62 degrees 38 minutes and run Southeastwardly for a distance of 198.51 feet to a point on the Southeasterly line of the right-of-way of the Old Montgomery Highway; thence turn an angle to the left of 88 degrees 50 minutes from the last described course and run Northeastwardly along the Southeast line of said right-of-way for a distance of 463.5 feet to the point of beginning of the parcel here described; from the point of beginning thus obtained turn an angle to the right of 88 degrees 50 minutes from the last described course and run Southeastwardly for a distance of 209 feet; thence turn an angle to the left of 88 degrees 50 minutes and run Northeastwardly and parallel with the Southeasterly line of the right of way of said highway for a distance of 105 feet; thence turn an angle to the left of 91 degrees 14 minutes and run Northwestwardly for a distance of 209 feet to a point on the Southeasterly line of the right-of-way of said highway; thence turn an angle to the left of 88 degrees 50 minutes from the last described course and run Southwestwardly along the Southeasterly line of said right-of-way for a distance of 105 feet to the point of beginning.
Minerals and mining rights not owned by Grantors excepted.

Said property is subject to that certain lease dated December, 1972, by and between Chaco Lake Properties, Ltd., Lessor, and W. E. Dispham and wife, Barbara Dispham, Lessees.

Tract 14

The North 1/2 of the NW 1/4 of Section 24, Township 19, Range 3 West. Except mineral and mining rights not owned by Grantor.

Tract 15

Part of the NW 1/4 of the SW 1/4 of Section 24, Township 19, Range 3 West, more particularly described as follows:

Commence at the Northwest corner of said NW 1/4 of the SW 1/4 and run South along the west line of said NW 1/4 of SW 1/4 189.84 feet; thence at an angle to the left of 62 degrees 38' run Southeasterly 197.93 feet to a point on the Southeasterly right of way line of the Old Montgomery Highway (said right of way being 50 feet wide at this point of intersection), which is the point of beginning of the property hereby conveyed; thence continue Southeasterly along the last named course 250 feet; thence at an angle to the right of 88 degrees 11 minutes, run Southwestwardly 137 feet; thence at an angle to the right of 81 degrees 42' run Northwestwardly 250 feet to the Southeasterly right of way line of said Highway; thence run Northeastwardly along the Southeasterly right of way line of said Highway 137 feet to the point of beginning.

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Tract 16

Part of the NW 1/4 of the SW 1/4 and part of the SW 1/4 of the NW 1/4 of Section 24, Township 19 South, Range 3 West, more particularly described as follows:

Commence at the northwest corner of NW 1/4 of SW 1/4; run South along the West line of said 1/4-1/4 section 133.53 feet; thence an angle to the left of 62 degrees and 38 minutes run 424.01 feet to a point in the Southeast right of way line of the Old Montgomery Highway; thence continue southeasterly along the last named course 209 feet; thence an angle to the left of 88 degrees and 50 minutes run northeasterly and parallel with said highway 418.5 feet; thence an angle to the left of 91 degrees 10 minutes run northwesterly 209 feet to the said Southeast right of way line of said highway; thence southwesterly along said right of way line 418.5 feet to the point of beginning.

Tract 17

Part of the South Half (S 1/2) of the Southwest Quarter (SW 1/4) of Section 13, Township 19, Range 3 West, more particularly described as follows: Commencing at the Southeast corner of the Southeast Quarter (SE 1/4) of the Southwest Quarter (SW 1/4) of Section 13, Township 19, Range 3 West, thence run West along the South line of said Southeast Quarter (SE 1/4) of the Southwest Quarter (SW 1/4) of Section 13, Township 19, Range 3 West, 86 feet for a point of beginning; thence turning an angle to the right of 45° 07' and go in a Northwesterly direction 1150 feet to a pine stump on top of the ridge; thence turning an angle to the left of 70° 17', go in a Southwesterly direction along the top of the ridge, 1916 feet to the Southwest corner of the Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) of Section 13, Township 19, Range 3 West; thence in an Easterly direction along the South line of the South Half (S 1/2) of the Southwest Quarter (SW 1/4) of said Section 13, Township 19, Range 3 West, 2945.7 feet to the point of beginning, containing 30 Acres, more or less.

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Tract 18

NE 1/4 of the SE 1/4 in Section 13, Township 19 South, Range 3 West, lying Southeast of the Old U.S. Highway 31, ALSO the SE 1/4 of the SE 1/4 of Section 13, Township 19 South, Range 3 West.

Tract 19

The SW 1/4 of the SW 1/4 of Section 18, Township 19, Range 2 West.

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Tract 20

All that part of the NW 1/4 of NW 1/4, Section 19, Township 19 South, Range 2 West, lying North of the Cahaba River, except the following described tract:

Begin at the Northwest corner of Section 19, Township 19 South, Range 2 West, run thence in a southerly direction along the West line of said Section 19, 520 feet, more or less, to an iron pin at a point where a Branch crosses the West line of said Section 19; run thence in a southeasterly direction along the meanderings of said Branch to a point where said Branch flows into the Cahaba River; run thence in an Easterly direction along the meanderings of the Cahaba River to a point where said River crosses the South line of the NW 1/4 of NW 1/4 of said Section 19; run thence in an Easterly direction along the Southern line of said NW 1/4 of NW 1/4 to the Southeast corner of said NW 1/4 of NW 1/4; run thence in a Northerly direction along the East line of said NW 1/4 of NW 1/4 to the Northeast corner of said NW 1/4 of NW 1/4; run thence in a Westerly direction along the Northerly line of said Section 19 to the point of beginning.

SHIBDY COUNTY, ALABAMA:

Tract 21

The S 1/2 of Section 19, Township 19 South, Range 2 West; except that portion lying west of the Centerline of US Highway 31; also except right-of-way of US Highway 31. Said property is subject to that certain lease dated June, 1973, by and between Chace Lake Properties, Ltd., Lessor and W. W. Graham, Lessee.

Tract 22

The SW 1/4 of SW 1/4 of Section 20, Township 19 South, Range 2 West.

Tract 23

The NW 1/4 of Section 30, Township 19 South, Range 2 West, lying east of the centerline of US Highway 31. Except right-of-way of US Highway 31.

Tract 24

The S 1/2 of SE 1/4 of Section 24, Township 19 South, Range 3 West, lying north and east of the centerline of US Highway 31. Except right-of-way of US Highway 31.

Tract 25

The NW 1/4 of NW 1/4 of Section 30, Township 19 South, Range 2 West.

Tract 26

Lots 1, 2 and 3 in the Survey of Cahaba River Estates as recorded in Map Book 3, on Page 11, in Probate Office of Shelby County, Alabama. Minerals and mining rights not owned by Grantors excepted.

Tract 27

A part of the W 1/2 of NW 1/4 of Section 29, Township 19 South, Range 2 West, described as follows:

Commence at the SW corner of W 1/2 of NW 1/4 of said Section 29 and run in an Easterly direction along South boundary of said W 1/2 of NW 1/4, 800.00 feet to point of beginning of tract of land herein described; thence turn an angle of 91 degrees 13' 45" to the left in a Northerly direction 1550.44 feet to point of intersection with Southeast boundary of Valloydale County road right-of-way; thence turning an angle of 46 degrees 12' 26" to the right in a Northeastorly direction along said right-of-way 498.42 feet to the point of beginning of a curve turning to the right in a Northeastorly direction and having a radius of 3,689.85 feet, said arc being subtended by a central angle of 3 degrees 24' 08" and having a chord of 219.08 feet in length; thence along said arc of said curve, which is the Southeast boundary of said right-of-way, 219.10 feet to the point of intersection with East boundary of said W 1/2 of NW 1/4; thence turning an angle of 132 degrees 01' 30" to the right from last mentioned chord having a length of 219.08 feet in a Southerly direction along the East boundary of said W 1/2 of NW 1/4, 2,051.57 feet to the Southeast corner thereof; thence turning an angle of 91 degrees 17' 45" to the right in a Westerly direction along the South boundary of said W 1/2 of NW 1/4, 824.67 feet to point of beginning. Minerals and mining rights not owned by Grantors excepted.

Tract 28

Part of NE 1/4 of NE 1/4 of Section 30, Township 19 South, Range 2 West, described as follows:

Begin at the NW corner of said 1/4-1/4 section and run Easterly along North line, 1,000 feet; thence Southwesterly to a point on West line of said 1/4-1/4 section, 1000 feet South of the point of beginning; thence North along West line, 1,000 feet to point of beginning. Minerals and mining rights not owned by Grantors excepted.

Tract 29

All that part of the East half of the East half of the Southwest quarter of Section 30, Township 19 South, Range 2 West, Shelby County, Alabama, lying North of Valloydale Road and containing 22 acres, more or less; mineral and mining rights not owned by Grantors excepted. The fee to the soil underlying said Valloydale Road to the center of said road is specifically made an appurtenance to this conveyance to whatever extent the grantors own the same.

A portion of such property is subject to that certain mortgage from Bill L. Harbert and Edwin M. Dixon, as Trustees under that certain Declaration of Trust dated September 18, 1968, to City Federal Savings & Loan Association, mortgagee, which mortgage is recorded in Book 317, Page 548, in the Probate Office of Shelby County, Alabama. Grantors, herein, specifically take this conveyance subject to said mortgage and Grantors do not assume

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responsibility for payment of the note secured by said mortgage or of any obligations or responsibilities under said mortgage, whatsoever.

Tract 30

The West 1/2 of SE 1/4; the SW 1/4 of NE 1/4 and the SW 1/2 of the SE 1/4 of NE 1/4 all in Section 30, Township 19 South, Range 2 West. Minerals and mining rights not owned by Grantors excepted.

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LESS AND EXCEPT THE FOLLOWING:

- 1) A tract of land located in Section 18, Township 19 South, Range 2 West, and Section 13, Township 19 South, Range 2 West, both in Jefferson County, Alabama and being more particularly described as follows:

From the Southwest corner of Section 18, Township 19 South, Range 2 West; thence NO degrees 10' 00" W a distance of 392.88 feet to the point of beginning; thence NO degrees 10' 00" W a distance of 268.56 feet; thence S 89 degrees 50' 00" W a distance of 539.64 feet; thence NO degrees 10' 00" W a distance of 1573.74 feet to the South right-of-way of Lorna Road; thence N 52 degrees 53' 00" E along said right-of-way 588.28 feet to a monument; thence S 37 degrees 07' 00" E a distance of 5.00 feet to a monument; thence N 52 degrees 53' 00" E a distance of 83.07 feet to the West boundary line of the before stated Section 18; thence NO degrees 10' 00" E along said West boundary line a distance of 1,311.86 feet to the Northwest corner of the Southwest 1/4 of Southwest 1/4 of the before said Section 18; thence S 87 degrees 59' 30" E a distance of 936.77 feet; thence NO degrees 08' 40" E a distance of 930.00 feet; thence N 87 degrees 59' 30" W a distance of 936.38 feet to the point of beginning and containing 42.00 acres more or less, or 1,829,520.00 square feet more or less.

- 2) Parts of the S 1/2 of NE 1/4, E 1/2 of NW 1/4, and N 1/2 of S 1/2, all in Section 24, Township 19 South, Range 2 West, situated partly in Jefferson County, and partly in Shelby County, Alabama, said parts being more particularly described as follows:

From the northeast corner of said E 1/2 of NW 1/4, looking west along the north line of said E 1/2 of NW 1/4, turn an angle to the left of 62 degrees 48' and run southwesterly for a distance of 658.60 feet, thence turn an angle to the right of 29 degrees 03' and run southwesterly for a distance of 165.97 feet to the point of beginning of the property herein described, thence turn an angle to the left of 7 degrees 48' and run southwesterly for a distance of 195.58 feet, thence turn an angle to the left of 9 degrees 09' and run southwesterly for a distance of 115.49 feet, thence turn an angle to the left of 7 degrees 36' and run southwesterly for a distance of 202.27 feet, thence turn an angle to the left of 7 degrees 55' and run southwesterly for a distance of 155.74 feet, thence turn an angle to the left of 17 degrees 18' and run southwesterly for a distance of 159.53 feet, thence turn an angle to the left of 12 degrees 11' and run southerly for a distance of 200.06 feet, thence turn an angle to the left of 11 degrees 27' and run southeasterly for a distance of 166.20 feet, thence turn an angle to the left of 4 degrees 46' and run southeasterly for a distance of 100.50 feet, thence turn an angle to the right of 14 degrees 25' and run southerly for a distance of 110.57 feet, thence turn an angle to the left of 0 degrees 43' and run southerly for a distance of 54.79 feet, thence turn an angle to the left of 45 degrees 08' and run southeasterly for a distance of 194.65 feet, thence turn an angle to the right of 30 degrees 07' and run southeasterly for a distance of 120.65 feet, thence turn an angle of 15 degrees 57.5' to the right and run southeasterly for a distance of 90.03 feet, thence turn an angle to the right of 18 degrees

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07' and run southwesterly for a distance of 101.31 feet, thence turn an angle to the right of 30 degrees 12' and run southwesterly for a distance of 144.30 feet, thence turn an angle to the right of 6 degrees 42' and run southwesterly for a distance of 164.12 feet, thence turn an angle to the right of 14 degrees 17' and run southwesterly for a distance of 318.99 feet, thence turn an angle to the right of 5 degrees 39' and run southwesterly for a distance of 236.06 feet, thence turn an angle to the right of 24 degrees 32' and run westerly for a distance of 84.97 feet, thence turn an angle to the left of 14 degrees 52.5' and run southwesterly for a distance of 136.27 feet, thence turn an angle to the right of 4 degrees 05' and run southwesterly for a distance of 156.22 feet, thence turn an angle to the left of 1 degree 01' and run southwesterly for a distance of 89.00 feet, thence turn an angle to the left of 24 degrees 42' and run southwesterly for a distance of 179.59 feet, thence turn an angle to the left of 3 degrees 20' and run southwesterly for a distance of 243.58 feet, thence turn an angle to the left of 3 degrees 05.5' and run southwesterly for a distance of 226.57 feet, thence turn an angle to the right of 1 degree 42' and run southwesterly for a distance of 116.44 feet, thence turn an angle to the left of 48 degrees 44' and run southerly for a distance of 61.96 feet, thence turn an angle to the left of 13 degrees 14' and run southeasterly for a distance of 119.74 feet, thence turn an angle to the left of 47 degrees 13.5' and run southeasterly for a distance of 100.34 feet, thence turn an angle to the left of 2 degrees 02' and run southeasterly for a distance of 140 feet, more or less, to a point on the north bank of the Cahaba River, thence in an easterly direction along the north bank of the Cahaba River for a distance of 4,300 feet, more or less, to an intersection of said north bank of the river with the west line of the right-of-way of US Highway 31, said right-of-way being 300 feet wide, or 150 feet on each side of the centerline of said highway, thence turn an angle to the left and run northwesterly along the west right-of-way line of said highway for a distance of 934 feet, more or less, to a point at which the highway right-of-way narrows to 200 feet in width, or 100 feet on each side of the centerline, thence turn an angle to the right of 90 degrees and run northeasterly for a distance of 50 feet, thence turn an angle to the left of 90 degrees and run northwesterly along the west side of said highway right-of-way for a distance of 757.89 feet, thence turn an angle to the left of 99 degrees 42' and run southwesterly for a distance of 99.61 feet, thence turn an angle to the right of 68 degrees 05' and run northwesterly for a distance of 120.24 feet, thence turn an angle to the left of 66 degrees 50' and run southwesterly for a distance of 154.85 feet, thence turn an angle to the right of 1 degree 18' and run southwesterly for a distance of 170.60 feet, thence turn an angle to the left of 14 degrees 11' and run southwesterly for a distance of 197.30 feet, thence turn an angle to the left of 64 degrees 52' and run southwesterly for a distance of 59.01 feet, thence turn an angle to the left of 2 degrees 02' and run southwesterly for a distance of 58.10

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feet, thence turn an angle to the right of 64 degrees 55' and run southwesterly for a distance of 101.05 feet, thence turn an angle of 25 degrees 48' to the right and run southwesterly for a distance of 272.93 feet, thence turn an angle to the right of 81 degrees 54' and run northwesterly for a distance of 52.65 feet, thence turn an angle to the left of 22 degrees 05' and run northwesterly for a distance of 71.46 feet, thence turn an angle to the left of 65 degrees 36' and run southwesterly for a distance of 217.16 feet, thence turn an angle to the left of 18 degrees 40' and run southwesterly for a distance of 119.52 feet, thence turn an angle to the right of 145 degrees 34' and run northerly for a distance of 150.40 feet, thence turn an angle to the right of 28 degrees 36' and run northeasterly for a distance of 108.13 feet, thence turn an angle to the right of 2 degrees 41' and run northeasterly for a distance of 98.20 feet, thence turn an angle to the left of 80 degrees 49' and run northwesterly for a distance of 130.71 feet, thence turn an angle to the right of 61 degrees 23' and run northeasterly for a distance of 59.30 feet, thence turn an angle to the left of 57 degrees 40' and run northwesterly for a distance of 173.49 feet, thence turn an angle to the left of 8 degrees 52' and run northwesterly for a distance of 167.68 feet, thence turn an angle to the right of 21 degrees 28' and run northwesterly for a distance of 58.68 feet, thence turn an angle to the left of 4 degrees 39' and run northwesterly for a distance of 202.36 feet, thence turn an angle to the right of 7 degrees 34' and run northwesterly for a distance of 93.42 feet, thence turn an angle to the right of 20 degrees 16' and run northwesterly for a distance of 120.76 feet, thence turn an angle to the left of 0 degrees 08' and run northwesterly for a distance of 101.15 feet, thence turn an angle to the right of 45 degrees 53' and run northeasterly for a distance of 55.53 feet, thence turn an angle to the left of 16 degrees 46' and run northeasterly for a distance of 116.72 feet, thence turn an angle to the left of 18 degrees 21' and run northerly for a distance of 147.42 feet, thence turn an angle to the left of 71 degrees 23' and run northwesterly for a distance of 134.36 feet, thence turn an angle to the right of 0 degrees 07' and run northwesterly for a distance of 81.68 feet to the point of beginning.

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Also except that property conveyed to Chaco Lake Country Club by deed dated December 31, 1963, and recorded in Real Property Book 183 at Page 334 in the Office of the Judge of Probate of Jefferson County, Alabama, and also except that property conveyed to Chaco Lake Country Club by a deed dated October 8, 1964, and recorded in Real Property Book 64 at Page 163 in the Office of the Judge of Probate of Jefferson County, Alabama.

3) A tract of land situated in Sections 13 and 24, Township 19 South, Range 3 West and Section 19, Township 19 South, Range 2 West, Jefferson County, Alabama and being more particularly described as follows:

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Commence at the Mouth at corner of said Section 13, Township 19 South, Range 3 West; thence run North 00 degrees 10 minutes 40 seconds West along the East line of said Section for a distance of 933.13 feet to a point; thence turn an angle left of 112 degrees 16 minutes and run South 67 degrees 33 minutes 20 seconds West for a distance of 828.18 feet to the point of beginning of tract herein described; thence continue South 67 degrees 33 minutes 20 seconds West for a distance of 1,217.72 feet to a point on the Northeastly right-of-way line of US Highway 31; thence turn an angle left of 94 degrees 01 minutes 00 seconds and run South 26 degrees 27 minutes 40 seconds East along said right-of-way line for a distance of 78.00 feet to a concrete Highway Right-of-way Monument, Marked Station 221+40; thence turn an angle left of 90 degrees 00 minutes and run North 63 degrees 32 minutes 20 seconds East for a distance of 30.00 feet to a point; thence turn an angle to the right of 90 degrees 00 minutes and run South 26 degrees 27 minutes 40 seconds East along said right-of-way for a distance of 297.58 feet to a concrete Highway Right-of-way Monument, Marked Station 217+50; thence turn an angle to the right of 90 degrees 00 minutes and run South 63 degrees 32 minutes 20 seconds West for a distance of 30.00 feet to a point; thence turn an angle to the left of 89 degrees 59 minutes 28 seconds and run South 26 degrees 27 minutes 08 seconds East for a distance of 1,284.08 feet to a point; thence turn an angle to the left of 89 degrees 44 minutes 32 seconds and run North 63 degrees 48 minutes 20 seconds East for a distance of 204.27 feet to the beginning of a curve to the left, having a radius of 409.26 feet and a central angle of 14 degrees 20 minutes 00 seconds; thence run in a Northeastly direction along the arc of said curve for a distance of 102.42 feet to a point; thence from tangent to said curve run North 49 degrees 28 minutes 20 seconds East for a distance of 290.59 feet to the beginning of a curve to the right, having a radius of 409.26 feet and a central angle of 28 degrees 40 minutes 00 seconds; thence run Northeastly along the arc of said curve for a distance of 204.84 feet to a point; thence from tangent to said curve run North 78 degrees 08 minutes 20 seconds East for a distance of 126.84 feet to the beginning of a curve to the left having a radius of 320.87 feet and a central angle of 103 degrees 13 minutes; thence run along the arc of said curve for a distance of 956.52 feet to a point; thence from tangent to said curve, run North 27 degrees 04 minutes 40 seconds West for a distance of 484.33 feet to the beginning of a curve to the left, having a radius of 763.94 feet and a central angle of 43 degrees 20 minutes; thence run Northwestly along the arc of said curve for a distance of 604.52 feet to a point; thence from tangent to said curve run North 72 degrees 24 minutes 40 seconds West for a distance of 128.24 feet to the point of beginning.

4) A tract of land situated in the NW 1/4 of NE 1/4, Section 34, Township 19 South, Range 3 West, Jefferson County, Alabama and being more particularly described as follows:

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Commence at the northeast corner of the NE 1/4 of the NE 1/4 of Section 24, Township 19 South, Range 3 West; thence west along the north line of said quarter-quarter section 380.14 feet to the point of beginning; thence continue along the last stated course for 281.43 feet to the center line of US Highway 31; thence 62 degrees 39' 40" right and along the centerline of US Highway 31 110.00 feet; thence 90 degrees right 250.00 feet to a point; thence 90 degrees right 239.24 feet to the point of beginning and containing 1.002 acres, more or less.

- 5) A tract of land situated in the SE 1/4 of SW 1/4 of Section 13, Township 19 South, Range 3 West, Jefferson County, Alabama and being more particularly described as follows:

Commence at the southeast corner of the SE 1/4 of SW 1/4 of Section 13, Township 19 South, Range 3 West; thence west along the south line of said quarter-quarter section 86.01 feet to the point of beginning; thence continue along the last stated course for 173.35 feet to the centerline of Old US Highway 31; thence 105 degrees 30' 40" right and along the centerline of Old US Highway 31 121.65 feet to a point; thence 114 degrees 16' 20" right 183.25 feet to the point of beginning and containing 0.233 acres, more or less.

- 6) A tract of land situated in Section 19, Township 19 South, Range 2 West, Shelby County, Alabama, and being more particularly described as follows:

Commence at the southeast corner of Section 19, Township 19 South, Range 2 West, Shelby County, Alabama; thence N 88 degrees 07' 30" W, 3,471.23 feet along the south line of said section; thence N 01 degree 32' 30" E, 364.58 feet to the point of beginning; thence N 17 degrees 30' 00" W, 1,759.74 feet; thence N 77 degrees 50' 00" E, 399.10 feet to the beginning of a curve to the right; thence 214.40 feet along said curve (having a central angle of 76 degrees 40' 00" and a radius of 608.63 feet); thence S 25 degrees 30' 00" E, 288.00 feet to the beginning of a curve to the left; thence 189.95 feet along said curve (having a central angle of 24 degrees 45' 00" and a radius of 439.74 feet); thence S 50 degrees 15' 00" E, 125.00 feet to the beginning of a curve to the right; thence 260.84 feet along said curve (having a central angle of 52 degrees 00' 00" and a radius of 287.40 feet); thence S 01 degree 45' 00" W, 147.00 feet to the beginning of a curve to the left; thence 384.37 feet along said curve (having a central angle of 34 degrees 14' 40" and a radius of 643.11 feet); thence N 79 degrees 30' 00" W, 1,092.05 feet to the point of beginning and containing 40.898 acres, more or less.

- 7) Except approximately 2 feet of subject property along the westerly line of parcel conveyed to Sam Bailey and Josephine Bailey, by deed recorded in Deedbook Volume 262, Page 399, being a part of the Southwest 1/4 of the Southwest 1/4 of Section 13, Township 19, Range 3 West.

- 8) Any part of the SW 1/4 of NW 1/4 of Section 24, Township 19, Range 3 West, that may be included within the description in deed to Hunter Holloway, recorded in Volume 1150, Page 398,

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said exception being limited to that part of the 25 feet along the westerly side of said McGraw tract not owned by Grantors, if any.

9) All oil, gas, petroleum, sulphur and other rights, privileges and immunities relating thereto as shown by instruments recorded in:

(a) Birmingham Volume 3642, Page 238; re-recorded in Bessemer Real Volume 87, Page 551; and further re-recorded in Shelby County Deed Book 121, Page 427.

(b) Birmingham Volume 3871, Page 446; re-recorded in Bessemer Volume 349, Page 29; and further re-recorded in Shelby County Deed Book 127, Page 525.

(c) Birmingham Volume 3678, Page 541; re-recorded in Bessemer Volume 326, Page 444, as to the West 1/2 of SW 1/4, Section 34, Township 19, Range 2 West.

(d) Birmingham Volume 3668, Page 483.

10) Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto, as shown by instruments recorded in:

(a) Birmingham Volume 2363, Page 432.

(b) Bessemer Volume 234, Page 68.

(c) Birmingham Volume 904, Page 150.

(d) Birmingham Volume 154, Page 27.

(e) Birmingham Volume 199, Page 408.

(f) Birmingham Volume 492, Page 471.

11) Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto as affects the following:

(a) The West 1/2 of the SE 1/4 and part of the SW 1/4 of the NE 1/4, all in Section 30, Township 19, Range 2 West.

(b) Any part of the N 1/2 of the SE 1/4 of NW 1/4, the N 1/2 of the SW 1/4 of NW 1/4 or the NW 1/4 of NW 1/4 of Section 19, Township 19, Range 2 West, lying south of the Cahaba River.

THIS CONVEYANCE IS SUBJECT TO THE FOLLOWING:

- 1) Ad valorem taxes due and payable October 1, 1974.
- 2) Applicable zoning ordinances.
- 3) Easements and rights of way of record.
- 4) Easement and right of way and rights in connection therewith in favor of Chace Lake Country Club, Inc., as set out in Real Volume 714, Page 458, Birmingham Division, and Deed Volume 268, Page 171, Shelby County, Alabama.
- 5) Rights, easements, conditions and limitations in favor of Chace Lake Country Club, as set out in Real Volume 714, Page 454, Birmingham Division, and Deed Book 268, Page 174, Shelby County, Alabama.
- 6) Restrictions, limitations, and rights in connection therewith in favor of Chace Lake Country Club, Inc., as set out in Real Volume 714, Page 535, Birmingham Division and Volume 317, Page 645, Shelby County, Alabama.
- 7) Easement and right of way and rights in connection therewith in favor of Chace Lake Country Club, as set out in Real Volume 714, Page 456, Birmingham Division.
- 8) Easements, setbacks and restrictions set out in that certain deed to Johnson-Hast & Hays Company recorded in Book 714, page 535, in the office of the Judge of Probate of Jefferson County, Alabama.

285 DEC 226
 STATE OF ALABAMA
 JEFFERSON COUNTY
 I, CLAYTON, JUNIOR, SON OF PETERSON, DO hereby certify that the foregoing is the true and correct copy of the original instrument recorded in the office of the Judge of Probate of Jefferson County, Alabama.

NO TAX COLLECTED
 1790

STATE OF ALA. JEFFERSON CO.
 220
 FEB 6 8 43 AM '74
 RECORDED
 BY CLAYTON, JUNIOR
 PA. BY THIS INSTRUMENT
 JAMES HAST

STATE OF ALA. JEFFERSON CO.
 1035
 FEB 5 2 42 PM '74
 RECORDED
 BY CLAYTON, JUNIOR
 PA. BY THIS INSTRUMENT
 JAMES HAST

\$8000.00 Dead Tax Paid

10/03/1995-27835

02:58 PM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE

020 SNA 56.00

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