

SEND TAX NOTICES TO:
NOVUS UTILITY SERVICES, INC.
728 Volare Drive,
Pelham, Alabama,

WARRANTY DEED

STATE OF ALABAMA
COUNTY OF SHELBY

KNOW ALL MEN BY THESE PRESENTS, that in consideration of the sum of Three Hundred Ninety-Five Thousand and 00/100 Dollars (\$395,000.00) to the undersigned grantors, in hand paid by the grantee herein, the receipt of which is hereby acknowledged, **TENNESSEE VALLEY EQUIPMENT CO., INC.** (herein referred to as "Grantor"), hereby grants bargains, sells, and conveys unto **NOVUS UTILITY SERVICES, INC.** (herein referred to as "Grantee"), the real estate situated in Shelby County, Alabama, and described on Exhibit "A" attached hereto and incorporated herein by this reference.

[The purchase price recited above was paid from a mortgage loan closed simultaneously herewith.]

TO HAVE AND TO HOLD the described premises to Grantee, their heirs, executors, successors and assigns forever.

AND THE GRANTOR does for itself, and its successors and assigns, covenant with said Grantee, its successors and assigns, that Grantor is lawfully seized in fee simple of the premises, that they are free from all encumbrances, unless otherwise noted on Exhibit "A", that Grantor has good right to sell and convey the same as aforesaid, and that Grantor will and its successors and assigns shall warrant and defend same to said Grantee, its successors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the Grantor has signed and sealed this Deed on the 27 day of March, 1996,

TENNESSEE VALLEY EQUIPMENT CO., INC.

By: *[Signature]*

(Its *[Signature]*)

{ACKNOWLEDGEMENT ON NEXT PAGE}

Inst # 1996-10120

03/28/1996-10120
09:28 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
004 HCB 33.00

ALA-War.ded 3/15/96 9:01am

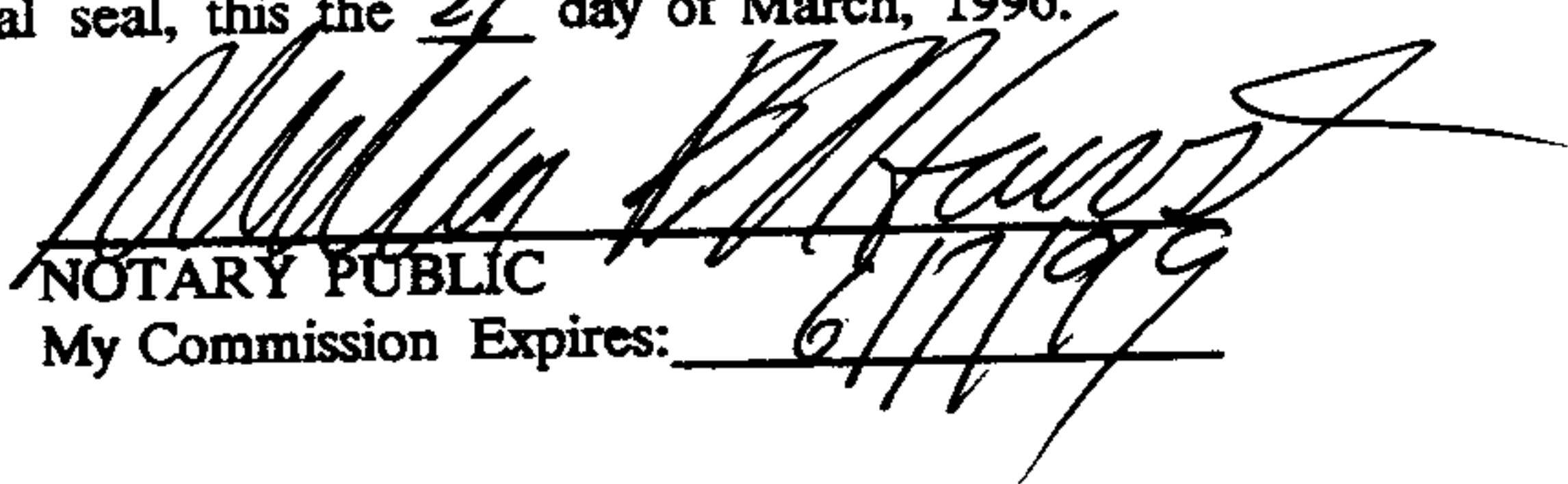
Engel Harrison

Inst # 1996-10120

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Roger Baggett, whose name as President of TENNESSEE VALLEY EQUIPMENT CO., INC., a 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 said instrument, he/she, as such officer, and with full authority, executed the same voluntarily, as an act of said corporation, acting in his/her capacity as aforesaid.

Given under my hand and official seal, this the 27 day of March, 1996.


NOTARY PUBLIC
My Commission Expires: 6/17/99

THIS INSTRUMENT PREPARED BY AND AFTER
RECORDATION SHOULD BE RETURNED TO:
William B. Hairston III
Engel, Hairston, & Johanson P.C.
P.O. Box 370027
Birmingham, AL 35237
(205) 328-4600

EXHIBIT "A"

TO

**WARRANTY DEED
SELLER/OWNERS AFFIDAVIT AND INDEMNITY
NON-FOREIGN AFFIDAVIT**

Grantor: TENNESSEE VALLEY EQUIPMENT CO., INC.

Grantee: NOVUS UTILITY SERVICES, INC.

PARCEL A:

From the Southwest corner of the Southeast Quarter of the Southeast Quarter of Section 25, Township 19 South, Range 3 West, run Northerly along the West boundary line of said Quarter-Quarter Section, 24.10 feet to a point on the old railroad bed of the Acton Branch of the L & N R.R.; thence turn an angle of 71 degrees 23 minutes 40 seconds to the right and run Northeasterly along said railroad bed for 25.27 feet; thence turn an angle of 2 degrees 56 minutes 40 seconds to the left and continue Northeasterly along said railroad bed for 275.60 feet; thence turn an angle of 0 degrees 39 minutes 40 seconds to the right and continue Northeasterly along said railroad bed for 224.40 feet; thence turn an angle of 96 degrees 35 minutes to the left and run Northwesterly 50.00 feet to an iron pipe for the point of beginning of the land herein described; thence continue Northwesterly along the same course for 146.00 feet; thence turn an angle of 89 degrees 30 minutes 20 seconds to the right and run Northeasterly 216.50 feet; thence turn an angle of 85 degrees 50 minutes to the right and run Southeasterly 146.00 feet; thence turn an angle of 94 degrees 06 minutes 20 seconds to the right and run Southwesterly 228.25 feet, more or less, to the point of beginning. This land being a part of the Southeast Quarter of the Southeast Quarter of Section 25, Township 19 South, Range 3 West.

PARCEL B:

From the Southwest corner of the Southeast Quarter of the Southeast Quarter of Section 25, Township 19 South, Range 3 West, run Northerly along the West boundary line of said Quarter-Quarter Section 24.10 feet to a point on the old railroad bed of the Acton Branch of the L. & N. R.R.; thence turn an angle of 71 degrees 23 minutes 40 seconds to the right and run Northeasterly along said railroad bed for 25.27 feet; thence turn an angle of 2 degrees 56 minutes 4 seconds to the left and continue Northeasterly along said railroad bed for 275.60 feet; thence turn an angle of 0 degrees 39 minutes 40 seconds to the right and continue Northeasterly along said railroad bed for 224.40 feet; thence turn an angle of 96 degrees 35 minutes to the left and run Northwesterly 50.00 feet to the point of beginning of the land herein described; thence turn an angle of 89 degrees 26 minutes 40 seconds to the right and run Northeasterly 228.55 feet; thence turn an angle of 126 degrees 53 minutes 30 seconds to the right and run Southwesterly 64.33 feet; thence turn an angle of 27 degrees 53 minutes 45 seconds to the right and continue Southwesterly 191.45 feet; thence turn an angle of 108 degrees 07 minutes 45 seconds to the right and run Northwesterly 134.00 feet to the point of beginning. This land being a part of the Southeast Quarter of the Southeast Quarter of Section 25, Township 19 South, Range 3 West.

EXHIBIT "A" (continued)

PARCEL C:

From the SW corner of the SE 1/4 of the SE 1/4 of Section 25, Township 19 South, Range 3 West, run Northerly along the West boundary line of said 1/4-1/4 Section, 24.10 feet to a point on the old railroad bed of the Acton Branch of the L. & N. R.R.; thence turn right 71 degrees 23 minutes 40 seconds and run Northeasterly along said railroad bed, 25.27 feet; thence turn left 2 degrees 56 minutes 40 seconds and continue Northeasterly along said railroad bed 275.60 feet; thence turn right 0 degrees 39 minutes 40 seconds and continue Northeasterly along said railroad bed 224.40 feet; thence turn left 96 degrees 35 minutes and run Northwesterly 50.00 feet; thence turn right 89 degrees 26 minutes 40 seconds and run Northeasterly 228.55 feet to the point of beginning; thence turn left 94 degrees 06 minutes 20 seconds and run Northwesterly 146.00 feet; thence turn right 94 degrees 10 minutes and run Northeasterly 5.20 feet to a point on the Southwesterly right of way line of Valleydale Terrace (50' R.O.W.); thence turn right 69 degrees 10 minutes 18 seconds and run Southeasterly along said right of way 140.27 feet to the point of a curve to the right, said curve having a central angle of 22 degrees 15 minutes 47 seconds and a radius of 121.77 feet; thence run Southeasterly along the arc of said curve and along said right of way 47.32 feet to a Point on the Northwesterly right of way of a public road and the point of a curve to the left, said curve having a central angle of 32 degrees 12 minutes 17 seconds and a radius of 142.46 feet; thence run Southwesterly along the arc of said curve and along said right of way 80.07 feet to the end of said curve; thence turn left 16 degrees 06 minutes 09 seconds from the chord of said curve and run Southwesterly 14.34 feet; thence turn right 152 degrees 06 minutes 15 seconds and run Northeasterly 64.33 feet to the point of beginning. This land being a part of the SE 1/4 of the SE 1/4 of Section 25, Township 19 South, Range 3 West.

Situated in Shelby County, Alabama.

SUBJECT TO: i) 1996 taxes, a lien but not yet payable; ii) right of way granted Alabama Power Company recorded in Book 28, page 755, Deed book 129, page 38, and Deed Book 222, page 435; iii) title to all minerals within and underlying the premises which are not owned by Grantor, including those described in Deed Book 100, page 380, and Deed Book 109, page 312.

Inst # 1996-10120

Ex.docd 3/15/96 9:02am

03/28/1996-10120
09:28 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
004 HCD 33.00