

THIS INSTRUMENT PREPARED BY:  
James J. Odom, Jr.  
P.O. Box 11244  
Birmingham, AL 35202-1244

SEND TAX NOTICE TO:  
McNabb Realty Company  
P.O. Box 130907  
Birmingham AL 35212

STATE OF ALABAMA )  
COUNTY OF SHELBY )

8062.50

**WARRANTY DEED**

KNOW ALL MEN BY THESE PRESENTS THAT in consideration of the conveyance from McNabb Realty Company, an Alabama General Partnership, to Forest Parks, LLC, an Alabama limited liability company, of a parcel of land to provide access to U.S. Highway 280 in Shelby County, Alabama, the receipt and sufficiency whereof are hereby acknowledged, the undersigned Forest Parks, LLC, an Alabama limited liability company ("Grantor"), does by these presents, grant, bargain, sell and convey unto McNabb Realty Company, an Alabama General Partnership ("Grantee"), the following described real estate situated in Shelby County, Alabama (the "Premises"), to-wit:

SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION AND TITLE EXCEPTIONS.

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

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

IN WITNESS WHEREOF, the undersigned have executed this conveyance on this the 17<sup>th</sup> day of September, 1996.

WITNESSES:

*Terrie S. Cantrell*

FOREST PARKS, LLC, an Alabama limited liability company

By: *John B. Davis, Jr.*  
John B. Davis, Jr.  
As its Manager Inst 8062.50

*Terrie S. Cantrell*

By: *Kenneth B. Weyland*  
Kenneth B. Weyland  
As its Manager

09/20/1996 31164  
10:09 AM CERTIFIED  
SHELBY COUNTY ALABAMA  
2.00

Inst 8062.50 1996-31164

STATE OF ALABAMA )

COUNTY OF JEFFERSON )

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that John B. Davis, Jr., whose name as Manager of Forest Parks, LLC, an Alabama limited liability company, 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 manager and with full authority, executed the same voluntarily for and as the act of said limited liability company.

Given under my hand and seal this 12<sup>th</sup> day of September, 1996.

*Terrie S. Cantrell*  
Notary Public

My Commission Expires: 6-21-97

STATE OF ALABAMA )

COUNTY OF JEFFERSON )

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Kenneth B. Weygand, whose name as Manager of Forest Parks, LLC, an Alabama limited liability company, 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 manager and with full authority, executed the same voluntarily for and as the act of said limited liability company.

Given under my hand and seal this 17<sup>th</sup> day of September, 1996.

*Terrie S. Cantrell*  
Notary Public

My Commission Expires: 6-21-97

**EXHIBIT "A"**

A parcel of land situated in Northwest 1/4 of the Southwest 1/4 and in the Southwest 1/4 of the Northwest 1/4 of Section 21, Township 19 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows: Begin at the Northwest corner of the Northwest 1/4 of the Southwest 1/4 of Section 21, Township 19 South, Range 1 West, Shelby County, Alabama, and run in a Southerly direction along the West line of said Section 21 a distance of 211.87 feet; thence turn an interior angle of 40° 50' 29" to the tangent of a curve to the left having a central angle of 23° 30' 25" and a radius of 575.00 feet and run to the left along the arc of said curve in a Northeasterly direction a distance of 235.91 feet; thence turn an interior angle of 270° 00' 00" from the tangent of last described curve and run to the right in a Southeasterly direction a distance of 20.00 feet; thence turn an interior angle of 90° 00' 00" to the tangent of a curve to the left having a central angle of 17° 20' 04" and a radius of 595.00 feet and run to the left along the arc of said curve in a Northeasterly to Northerly direction a distance of 180.01 feet; thence run tangent to the last described curve in a Northerly direction parallel to and 160.00 feet east of the West line of said Section 21 a distance of 163.67 feet; thence run along the arc of a curve to the left having a central angle of 90° 00' 00" and a radius of 25.00 feet in a Northerly to Westerly direction a distance of 39.27 feet; thence run tangent to the last described curve in a Westerly direction a distance of 135.00 feet to a point on the West line of said Section 21; thence turn an interior angle of 90° 00' 00" and run to the left in a Southerly direction along the West line of said Section 21 a distance of 352.84 feet to the point of beginning, containing 1.599 acres, more or less.

**SUBJECT TO:** (1) Current Taxes; (2) Right of Way granted to Alabama Power Company by instrument recorded in Volume 139, at Page 127; Volume 236, at Page 829; Volume 133, at Page 210; Volume 126, at Page 191; Volume 126, at Page 192; Volume 126, at Page 323; and Volume 124, at Page 519, in the Probate Office of Shelby County, Alabama; (3) Mineral and mining rights and rights incident thereto recorded in Volume 53, at Page 262, in the Probate Office of Shelby County, Alabama (21-19-01W); (4) That part of subject property in the right of way of New Highway No. 280 acquired by the State of Alabama by condemnation proceedings; (5) Less and except any part of subject property lying within a public right of way; (6) The rights of upstream and downstream riparian owners with respect to any creeks, branches, streams of rivers, traversing subject property; (7) Rights outstanding under those certain easement agreements conveyed to Shelby County by Instrument recorded in Instrument No. 1993-3962, et. seq. in the Probate Office of Shelby County, Alabama; (8) Coal, oil, gas and other mineral interests in, to or under the land herein.

Inst • 1996-31164

09/20/1996-31164  
10:09 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
003 NED 22.00