

This instrument was prepared by:  
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1400 SouthTrust Tower  
Birmingham, Alabama 35203

Send Tax Notice to:  
Higginbotham Oil Company, Inc.  
P. O. Box 1810  
Calera, Alabama 35040

### GENERAL WARRANTY DEED

STATE OF ALABAMA                    )  
  )       KNOW ALL PERSONS BY THESE PRESENTS:  
COUNTY OF SHELBY                )

That in consideration of One Million Two Hundred Thousand and no/100 Dollars (\$1,200,000.00) to the undersigned **BUXAHATCHEE ENTERPRISES, INC.**, an Alabama corporation (hereinafter referred to as GRANTOR), in hand paid by the GRANTEE herein, the receipt of which is hereby acknowledged, the said GRANTOR does by these presents, grant, bargain, sell and convey unto **HIGGINBOTHAM OIL COMPANY, INC.**, an Alabama corporation (hereinafter referred to as GRANTEE), the following described real estate, situated in Shelby County, Alabama, to-wit:

See attached Exhibit A.

\$790,169.04 of the consideration set out above is represented by a purchase money mortgage recorded simultaneously herewith.

\$402,700.00 of the consideration set out above is the assumption of the Mortgage to First Bank of Childersburg, which Assumption is being recorded simultaneously herewith.

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

And said GRANTOR does for itself, its administrators, successors and assigns, covenant with said GRANTEE, its administrators, successors and assigns, that it is lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise stated above; that it has a good right to sell and convey the same as aforesaid; and that it will, and its administrators, successors and assigns shall, warrant and defend the same to the said GRANTEE, its administrators, successors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said GRANTOR, by its duly authorized officer, has hereto set its signature and seal, this the 7<sup>th</sup> day of November, 1996.

**BUXAHATCHEE ENTERPRISES, INC.**

By: Kermit A. Roberson  
Its: PRESIDENT

STATE OF ALABAMA  
COUNTY OF Shelby )

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Kermit H. Roberson, whose name as President of Buxahatchee Enterprises, Inc., an Alabama 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 official seal, this the 7<sup>th</sup> day of November, 1996.

11/07/1996-37113  
02:06 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 MCD 12.00

Bernard A. Selmore  
NOTARY PUBLIC  
My Commission Expires: 10/10/98

Inst # 1996-37113

## Exhibit A

A parcel of land in the NE 1/4 of Fractional Section 22, Township 22 South, Range 2 West, Shelby County, Alabama, described as follows: Commence at the SE corner of the NW 1/4 of the NE 1/4 of Section 22, Township 22 South, Range 2 West; thence run North 0 deg. 45 min. 00 sec. East along the East line of said 1/4 1/4 a distance of 642.00 feet to a point on the North side of Alabama Highway No. 25; thence continue on the last described course and run North 0 deg. 45 min. 00 sec. East a distance of 518.00 feet to a point on the South side of the Old Highway No. 25; thence run South 56 deg. 30 min. 00 sec. West, along said South side of the Old Highway No. 25, a distance of 903.60 feet; thence run South 58 deg. 10 min. 00 sec. West along said South side of the Old Highway No. 25 a distance of 834.00 feet; thence run South 0 deg. 45 min. 00 sec. West a distance of 234.60 feet; thence run South 89 deg. 59 min. 60 sec. East a distance of 125.00 feet; thence run South 0 deg. 45 min. 00 sec. West a distance of 222.57 feet to a set 1/2 rebar, said point being the point of beginning; thence continue on the last described course and run South 0 deg. 45 min. 00 sec. West a distance of 349.43 feet to a found concrete monument marking the North right of way line of Alabama Highway No. 25; thence run South 74 deg. 30 min. 09 sec. East, along said right of way line a distance of 99.45 feet to a found concrete monument marking the North right of way line of Alabama Highway No. 25, said point being situated on a curve to the left having a central angle of 20 deg. 56 min. 45 sec., a radius of 1382.75 feet; thence run along the arc a distance of 505.50 feet; thence run North 59 deg. 12 min. 39 sec. West a distance of 138.72 feet; thence run North 28 deg. 58 min. 47 sec. West a distance of 305.00 feet to a set 1/2 inch rebar; thence run South 65 deg. 51 min. 40 sec. West a distance of 325.40 feet to a set 1/2 inch rebar and the point of beginning; being situated in Shelby County, Alabama.

### Subject to:

1. Ad valorem taxes due for the year 1996 and subsequent years.
2. Transmission Line Permit(s) to Alabama Power Company as shown by instrument(s) recorded in Deed Book 106 page 26 in the Probate Office.
3. Mortgage from Buxahatchee Enterprises, Inc. to Central State Bank dated September 30, 1993, in the original principal amount of \$425,000.00, and recorded as Inst. #1993-30366 in the Probate Office.

Inst # 1996-37113

11/07/1996-37113  
02:06 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 MCD 12.00