

110,000

Deed

Send Tax Notice To:

This instrument prepared by George M. Taylor, III, Attorney-at-Law, Burr & Forman LLP, 3100 SouthTrust Tower, 420 North 20th Street, Birmingham, Alabama 35203

Inst # 1997-01793

STATE OF ALABAMA)

SHELBY COUNTY)

KNOW ALL MEN BY THESE PRESENTS,

That in consideration of One Hundred and no/100 Dollars (\$100.00) and other good and valuable consideration to the undersigned grantor, Oak Mountain Amphitheater, Inc., an Alabama corporation, in hand paid by Oak Mountain Amphitheatre, L.L.C., an Alabama limited liability company (the "Grantee"), the receipt of which is hereby acknowledged, the said Oak Mountain Amphitheater, Inc., an Alabama corporation (the "Grantor"), does by these presents, grant, bargain, sell and convey unto the Grantee the real estate situated in Shelby County, State of Alabama, described on Exhibit A, B, and C attached hereto which is made a part hereof by this reference, (the "Premises"), together with all of Grantor's right, title and interest in and to the real estate and related interests described in that certain Deed, Declaration of Easements and Restrictions and Memorandum of Related Agreements dated April 26, 1996, and recorded in the Probate Office of Shelby County as Instrument Number 1996-13623. The Premises and said related interests are conveyed subject to the following: (i) current year's ad valorem taxes; (ii) all liens, encumbrances, and restrictions of records (iii) oil, gas, and mineral rights not owned by Grantor are not conveyed hereby. All of said excluded matters are herein referred to as the "Permitted Encumbrances".

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

IN WITNESS WHEREOF, the said Grantor has caused this Deed to be executed by its duly authorized officer as of this 15th day of JANUARY, 1997.

Inst # 1997-01793

OAK MOUNTAIN AMPHITHEATER, INC.

By:

Its:


PRESIDENT

01/17/1997-01793
08:19 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
005 MCD 20.50



STATE OF FLORIDA)
COUNTY OF OKALOOSA)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that ROBERT A. BONEZZI, whose name as PRESIDENT of Oak Mountain Amphitheater, Inc., an Alabama 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 PRESIDENT, and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and seal of office this 15th day of January, 1997.

[NOTARIAL SEAL]

Notary Public
My commission expires: _____

JAMES W. GRIMSLEY
NOTARY PUBLIC, STATE OF FLORIDA
MY COMMISSION EXPIRES APRIL 11, 1997
COMM #CG267777

FLOODWAY DESCRIPTION

A parcel of land containing 9.21 acres more or less, located in the Southwest Quarter of Section 31, Township 19 South, Range 2 West and the Northwest Quarter of Section 6, Township 20 South, Range 2 West, Shelby County, Alabama; more particularly described as follows:

Commence at the Southeast Corner of the Southwest Quarter of Section 31; thence run North along the Quarter line 364.38 feet to the Point of Beginning being in the centerline of Bishop Creek; thence continue Northerly along the same course 142.41 feet; thence left $121^{\circ}25'36''$, 1413.32 feet; thence right $39^{\circ}39'13''$, 251.74 feet to the Easterly Right-of-Way of U.S. Highway 31; thence left $90^{\circ}00'$, 239.18 feet Southerly along said R.O.W. to the centerline of Bishop Creek thence following the meandering of Bishop Creek Northeasterly as established by Deed Book 224, Page 807, turn left $45^{\circ}28'04''$, 187.54 feet; thence right $16^{\circ}17'$, 150.23 feet; thence left $32^{\circ}41'$, 38.58 feet; thence left $64^{\circ}47'$, 83.02 feet; thence left $22^{\circ}45'30''$, 56.43 feet; thence left $30^{\circ}25'30''$, 108.21 feet; thence right $40^{\circ}36'$, 72.91 feet; thence left $5^{\circ}12'30''$, 103.77 feet; thence left $30^{\circ}53'30''$, 124.38 feet; thence right $68^{\circ}42'11''$, 93.13 feet; thence left $12^{\circ}06'56''$, 133.54 feet; thence right $8^{\circ}12'$, 153.59 feet; thence left $68^{\circ}09'$, 152.00 feet; thence right 90° , 60.80 feet; thence left $47^{\circ}55'$, 136.70 feet; thence left $18^{\circ}42'$, 73.80 feet; thence right $25^{\circ}54'$, 163.80 feet; thence right $16^{\circ}00'$, 57.0 feet; thence left $29^{\circ}45'$, 60.8 feet; thence left $22^{\circ}59'$, 50.70 feet; thence right $24^{\circ}41'$, 142.90 feet; thence right $36^{\circ}56'07''$, 51.66 feet to the Point of Beginning. Subject to easements and restrictions of record. +

TRACT NO. II

Commence at a 3" capped pipe found in place at the Northeast corner of the NE 1/4 of NW 1/4, Section 6, Township 20 South, Range 2 West, Shelby County, Alabama, which is the point of beginning of the tract of land herein described; thence run southerly along the east boundary line of said 1/4-1/4 section for a distance of 191.85 feet to a point on the northwest right-of-way line of Amphitheater Road; thence turn an angle of $53^{\circ}06'23''$ right and run southwesterly along said right-of-way line a distance of 328.07 feet to a point; thence turn an angle of $90^{\circ}11'46''$ right and leaving said R.O.W. run northwesterly a distance of 358.81 feet to a point; thence turn $90^{\circ}00'$ left and run southwesterly for a distance of 42.30 feet to a point; thence turn $90^{\circ}00'$ right and run northwesterly for a distance of 8.00 feet to a point; thence turn $90^{\circ}00'$ left and run southwesterly for a distance of 553.92 feet to a point; thence turn $89^{\circ}48'14''$ right and run northwesterly for a distance of 105.89 feet to the centerline of Bishop Creek; thence turn an angle of $49^{\circ}34'30''$ right and run northeasterly along the centerline of said creek a distance of 55.20 feet; thence $68^{\circ}42'11''$ right for 93.13 feet; thence $12^{\circ}06'56''$ left for 133.54 feet; thence $8^{\circ}12'$ right for 153.59 feet; thence $68^{\circ}09'$ left for 152.00 feet; thence $90^{\circ}00'$ right and continue along said centerline of Bishop Creek for 60.80 feet; thence $47^{\circ}55'$ left for 136.70 feet; thence $18^{\circ}42'$ left for 73.80 feet; thence $25^{\circ}54'$ right for 163.80 feet; thence $16^{\circ}00'$ right for 57.0 feet; thence $29^{\circ}45'$ left for 60.80 feet; thence $22^{\circ}59'$ left for 50.70 feet; thence $24^{\circ}41'$ right for 142.90 feet; thence $36^{\circ}56'07''$ right and continue along the centerline of Bishop Creek for 51.66 feet to a point on the east boundary line of the SE 1/4 of SW 1/4, Section 31, Township 19 South, Range 2 West; thence $96^{\circ}18'10''$ right and leaving said creek, run southerly along said 1/4-1/4 line for 364.38 feet to the point of beginning. Said tract of land is lying in the SE 1/4 of SW 1/4, Section 31, Township 19 South, Range 2 West and NE 1/4 of NW 1/4 of Section 6, Township 20 South, Range 2 West, Shelby County, Alabama, and contains 6.02 acres. Subject to any restrictions or easements of record.

PARCEL A

A parcel of land situated in the SW1/4 of the SE1/4 of Section 31, Township 19 South, Range 2 West, being more particularly described as follows:

Beginning at the Southwest corner of the SW1/4 of the SE1/4 of Section 31 Township 19 South, Range 2 West and run East along the South line of the SW1/4 of the SE1/4 907.96 feet to a point on the Northwestern right of way line of Amphitheater Road; thence 50 degrees 13 minutes to the left and run North-easterly along said right of way 119.08 feet to the P.C. (point of curve) of a curve to the right having a radius of 694.30 feet and a central angle of 57 degrees 49 minutes 39 seconds; thence run in the arc of said curve to the right and along the Northwestern right of way 700.74 feet to a point; thence 130 degrees 36 minutes 34 seconds to the left (angle measured to tangent) and run Northwesternly 439.25 feet to a point in Cahaba Valley Creek; thence 36 degrees 50 minutes to the left and run along the meandering centerline of Cahaba Valley Creek 1723.86 feet to a point on the West line of the SW1/4 of the SE1/4 of Section 31, Township 19 South, Range 2 West, said meandering centerline being more particularly described as follows: from the afore-mentioned 36 degrees 50 minutes turn to the left, run Northwesternly 112.70 feet to a point; thence 15 degrees 54 minutes to the right and run Northwesternly 195.30 feet to a point; thence 27 degrees 30 minutes to the right and run Northwesternly 85.86 feet to a point; thence 37 degrees 11 minutes to the right and run Northeasterly 31.36 feet to a point; thence 69 degrees 36 minutes to the left and run Northwesternly 49.09 feet to a point; thence 59 degrees 55 minutes to the left and run Southwesterly 192.91 feet to a point; thence 19 degrees 53 minutes to the left and run Southwesterly 261.01 feet to a point; thence 23 degrees 04 minutes to the right and run Southwesterly 139.06 feet to a point; thence 10 degrees 15 minutes to the right and run Southwesterly 49.66 feet to a point; thence 01 degrees 09 minutes to the left and run Southwesterly 124.44 feet to a point; thence 06 degrees 58 minutes to the left and run Southwesterly 129.10 feet to a point; thence 04 degrees 02 minutes to the left and run Southwesterly 49.41 feet to a point; thence 11 degrees 36 minutes to the left and run Southwesterly 237.79 feet to a point; thence 34 degrees 33 minutes to the right and run Southwesterly 66.17 feet to the aforementioned point on the West line of the SW1/4 of the SE1/4 of said section; thence 87 degrees 46 minutes to the left and run South along the West line of said 1/4-1/4 section 364.38 feet to the point of beginning. Said Parcel A contains 20.66 acres, more or less.

PARCEL B:

Commence at the Southwest corner of the SW1/4 of the SE1/4 of Section 31, Township 19 South, Range 2 West and run East along the South line of the SW1/4 of the SE 1/4 907.96 feet to a point on the Northwestern right-of-way line of Amphitheater Road; thence 50 degrees 13 minutes to the left and run North-easterly along said right-of-way 119.08 feet to the P.C. (point of curve) of a curve to the right having a radius of 694.30 feet and a central angle of 57 degrees 49 minutes 39 seconds; thence run in the arc of said curve to the right and along the Northwestern right-of-way 700.74 feet to a point; thence 130 degrees 36 minutes 34 seconds to the left (angle measured to tangent) and run Northwesternly 439.25 feet to a point in Cahaba Valley Creek, said point being the point of beginning; thence 36 degrees 50 minutes to the left in a Northwesternly direction along the center of Cahaba Valley Creek a distance of 112.70 feet to a point; thence 15 degrees 54 minutes to the right in a Northwesterly direction along the center of Cahaba Valley Creek a distance of 195.30 feet to a point; thence 27 degrees 30 minutes to the right in a Northwesternly direction along the center of Cahaba Valley Creek a distance of 85.86 feet to a point; thence 37 degrees 11 minutes to the right in a Northerly direction along the center of Cahaba Valley Creek a distance of 31.36 feet to a point; thence 69 degrees 36 minutes to the left in a Northwesternly direction along the center of Cahaba Valley Creek a distance of 49.09 feet to a point; thence 120 degrees 05 minutes to the right in a Northeasterly direction a distance of 2.24 feet to a point; thence 04 degrees 14 minutes to the left in a North-easterly direction a distance of 124.97 feet to a point; thence 90 degrees 00 minutes to the right in a Southeasterly direction a distance of 484.76 feet (Deed) (424.58 Measures) to the point of beginning. Said Parcel B contains 0.94 acres, more or less.

PARCEL C

A parcel of land situated in the SW 1/4 of the SE 1/4 of Section 31, Township 19 South, Range 2 West, being more particularly described as follows: Commence at the SW corner of the SW 1/4 of the SE 1/4 of Section 31, Township 19 South, Range 2 West, and run North along the West line of said 1/4 1/4 Section a distance of 364.38 feet to a point on the centerline of Cahaba Valley Creek; said point being the point of beginning; thence $87^{\circ}46'$ to the right in a Northeasterly direction along the centerline of said creek a distance of 66.17 feet to a point; thence $34^{\circ}33'$ to the left in a Northeasterly direction continuing along the centerline of said creek a distance of 237.79 feet to a point; thence $11^{\circ}36'$ to the right in a Northeasterly direction along said creek centerline a distance of 49.41 feet to a point; thence $86^{\circ}06'$ to the left in a Northwesterly direction a distance of 410.32 feet to a point on the Southerly right of way line of Cahaba Valley Road; thence $98^{\circ}05'$ to the left in a Southwesterly direction along the Southerly right of way line of Cahaba Valley Road a distance of 240.00 feet to a point; thence $90^{\circ}00'$ left in a Southeasterly direction a distance of 276.03 feet to a point; thence $88^{\circ}01'46''$ right in a Southwesterly direction a distance of 92.75 feet to a point on the west line of the SW 1/4 of the SE 1/4 of said Section 31; thence $58^{\circ}34'24''$ left in a southerly direction along said west line a distance of 142.41 feet to the point of beginning. Said parcel contains 2.42 acres more or less.

PARCEL E

Commence at a 3" capped pipe found in place at the Northeast corner of the NE 1/4 of NW 1/4, Section 6, T20S, R2W which is the point of beginning of the tract of land herein described; thence run Southerly along the East boundary line of said 1/4-1/4 Section a distance of 191.85 feet to a point on the Northwest right-of-way line of Amphitheater Road; thence continue along said 1/4-1/4 Section Line and the Easterly right-of-way line of said Amphitheater Road a distance of 82.21 feet to a point; thence turn an angle of $119^{\circ}32'25''$ left to the tangent of a curve to the right; thence continue along said right-of-way line along said curve to the right (concave southeasterly and having a radius of 547.21 feet a central angle of $10^{\circ}10'47''$ for an arc distance of 97.22 feet to a point; thence continue along said right-of-way from the tangent of said curve a distance of 62.54 feet to a point; thence continue along said right-of-way along a curve to the right (concave southeasterly and having a radius of 605.24 feet and a central angle of $20^{\circ}46'59''$ for an arc distance of 219.54 feet to a point; thence continue along said right-of-way from the tangent of said curve a distance of 187.88 feet to a point; thence continue along said right-of-way along a curve to the left (concave Northwesterly and having a radius of 467.0 feet and a central angle of $48^{\circ}50'42''$ for an arc distance of 398.12 feet to a point on the North boundary line of the NW 1/4 of NE 1/4 of said Section 6; thence turn an angle of $130^{\circ}30'00''$ left from the tangent of said curve and run Westerly along said North boundary line a distance of 906.95 feet to the Point of Beginning. Said tract of land is lying in the NW 1/4 of NE 1/4, Section 6, T20S, R2W and contains 3.3 acres, more or less.

Inst # 1997-01793

01/17/1997-01793
08:19 AM CERTIFIED
EXHIBIT COUNTY JUDGE OF PROBATE
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