

THIS INSTRUMENT PREPARED BY
AND UPON RECORDING SHOULD BE
RETURNED TO:

Stephen R. Monk, Esq.
Bradley Arant Rose & White LLP
2001 Park Place North, Suite 1400
Birmingham, Alabama 35203

38600000

SEND TAX NOTICE TO:

Roy W. Gilbert, Jr.
5410 Saddle Creek Lane
Birmingham, AL 35242

STATUTORY WARRANTY DEED

THIS STATUTORY WARRANTY DEED is executed and delivered on this 6th day of May, 1997 by DANIEL OAK MOUNTAIN LIMITED PARTNERSHIP, an Alabama limited partnership ("Grantor"), in favor of ROY W. GILBERT, JR. AND WIFE, JUDITH L GILBERT ("Grantees").

KNOW ALL MEN BY THESE PRESENTS, that for and in consideration of the sum of Ten Dollars (\$10.00), in hand paid by Grantees to Grantor and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by Grantor, Grantor does by these presents, GRANT, BARGAIN, SELL and CONVEY unto Grantees for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, together with every contingent remainder and right of reversion, that certain real property (the "Property") situated in Shelby County, Alabama which is more particularly described in Exhibit A attached hereto and incorporated herein by reference.

The Property is conveyed subject to the following:

1. Ad valorem taxes due and payable October 1, 1997, and all subsequent years thereafter.
2. Fire district dues and library district assessments for the current year and all subsequent years thereafter.
3. Transmission Line Permit to Alabama Power Company as recorded in Deed Book 138, Page 588 in the Office of the Judge of Probate of Shelby County, Alabama (the "Probate Office").
4. Right-of-Way granted to Alabama Power Company by instrument recorded in Deed Book 246, Page 849 in the Probate Office.
5. Agreement with Alabama Power Company recorded in Deed Book 351, Page 1 in the Probate Office.
6. Declaration of Easement recorded as Instrument #1995-6008 in the Probate Office.
7. Agreement with Alabama Power Company recorded in Real 20, Page 888 in the Probate Office.
8. Right of Way granted to South Central Bell by instrument recorded in Real 21, Page 312 in the Probate Office.

TO HAVE AND TO HOLD unto the said Grantees, for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, and to the heirs and assigns of such survivor forever, together with every contingent remainder and right of reversion.

IN WITNESS WHEREOF, Grantor has caused this Statutory Warranty Deed to be executed as of the day and year first above written.

DANIEL OAK MOUNTAIN LIMITED
PARTNERSHIP, an Alabama limited partnership

By: DANIEL REALTY INVESTMENT
CORPORATION-OAK MOUNTAIN, an
Alabama corporation, Its General Partner

By: [Signature]
Its: Chairman

STATE OF ALABAMA)

SHELBY COUNTY)

05/07/1997-14124
08:22 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 HCB 397.00

I, the undersigned, a Notary Public in and for said county, in said state, hereby certify that T. Charles Tickle, whose name as Chairman of DANIEL REALTY INVESTMENT CORPORATION-OAK MOUNTAIN, an Alabama corporation, as General Partner of DANIEL OAK MOUNTAIN LIMITED PARTNERSHIP, an Alabama limited partnership, 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, as such officer and with full authority, executed the same voluntarily on the day the same bears date for and as the act of said corporation in its capacity as general partner as aforesaid.

Given under my hand and official seal, this the 6th day of May, 1997.

[Signature]
Notary Public
My Commission Expires: 1-22-2001

EXHIBIT A

Part of the SE 1/4 of SE 1/4 of Section 21 and the NE 1/4 of NE 1/4 of Section 28, all in Township 18 South, Range 1 West, Shelby County Alabama, being more particularly described as follows:

Beginning at the Southeast corner of said NE 1/4 of NE 1/4 of Section 28, run in a northerly direction along the east line of said 1/4 1/4 section for a distance of 1322.75 feet, more or less, to the southeast corner of the SE 1/4 of SE 1/4 of said Section 21; thence turn an angle to the right of 0 deg. 35 min. and run in a northerly direction along the east line of said SE 1/4 of SE 1/4 for a distance of 97.91 feet; thence turn an angle to the left of 79 deg. 23 min. 10 sec. and run in a northwesterly direction for a distance of 103.60 feet; thence turn an angle to the right of 38 deg. 07 min. 40 sec. and run in a northwesterly direction for a distance of 308.71 feet; thence turn an angle to the left of 101 deg. 09 min. 05 sec. and run in a southwesterly direction for a distance of 818.93 feet; thence turn an angle to the left of 28 deg. 18 min. 57 sec. and run in a southwesterly direction for a distance of 1049.84 feet, more or less, to a point on the south line of said NE 1/4 of NE 1/4 of Section 28, Township 18 South, Range 1 West; thence turn an angle to the left of 100 deg. 02 min. 43 sec. and run in an easterly direction for a distance of 987.72 feet more or less to the point of beginning; being situated in Shelby County, Alabama.

Less and except the following:

Begin at a three inch capped iron locally accepted to be the southeast corner of said Section 21; thence run in a northerly direction along the east line of said Section 21 for a distance of 97.91 feet to an iron pin set, said iron being 0.42 feet southeast of a crimped iron found; thence turn an angle to the left of 79 deg. 17 min. 07 sec. and run in a northwesterly direction for a distance of 104.02 feet to a crimped iron found; thence turn an angle to the right of 38 deg. 08 min. 11 sec. and run in a northwesterly direction for a distance of 121.41 feet to an iron pin set; thence turn an angle to the left of 107 deg. 29 min. 36 sec. and run in a southwesterly direction for a distance of 426.15 feet to an iron pin set; thence turn an angle to the left of 66 deg. 13 min. 45 sec. and run in a southeasterly direction for a distance of 234.73 feet to an iron pin set; thence turn an angle to the left of 82 deg. 29 min. 34 sec. and run in a northeasterly direction for a distance of 306.33 feet to an iron pin set on the east line of said Section 28; thence turn an angle left of 63 deg. 18 min. 00 sec. and run in a northerly direction along east line of said Section 28 for a distance of 207.02 feet to the point of beginning; being situated in Shelby County, Alabama.

Inst # 1997-14124

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