

STATE OF ALABAMA )  
  :  
COUNTY OF SHELBY )

**DEED AND BILL OF SALE**

**KNOW ALL MEN BY THESE PRESENTS:**

That in consideration of ten dollars and other good and valuable consideration paid by The Water Works and Sewer Board of the City of Birmingham, a public corporation, (the "Board") to Eddleman Properties, Inc., an Alabama corporation ("Eddleman"), Eddleman Properties, Inc., does by these presents grant, bargain, sell, assign, transfer and convey to the Board and its successors and assigns, all right, title and interest in and to all of the sanitary sewer trunklines, pipelines, force mains, gravity flow mains, sewer laterals, lift stations, pumping stations and related appurtenances, appliances, fixtures and equipment (the "Property") which are now located on or under the surface of that certain real property situated in Shelby County, Alabama which is described on Exhibit A attached hereto and incorporated herein by this reference.

Eddleman does, for itself and its successors and assigns, hereby covenant with the Board and its successors and assigns that it is lawfully seized in fee simple and/or has good and marketable title in and to the Property; that the Property is free from all encumbrances; that it has a good right to sell, assign, transfer and convey the Property as aforesaid; and that Eddleman and its successors and assigns shall warrant and defend the same to the Board, and its successors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, Eddleman Properties, Inc. has caused this instrument to be duly executed on this 11 day of June, 1997.

ATTEST:

\_\_\_\_\_  
Its: \_\_\_\_\_

Eddleman Properties, Inc.,  
an Alabama corporation

By: [Signature]  
Its: PRESIDENT

Inst # 1997-18580

06/13/1997-18580  
08:25 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
004 KCD 18.00

Inst # 1997-18580

CLAYTON SWEENEY, ATTORNEY AT LAW

447647.1

[Signature]

STATE OF ALABAMA )

Jefferson COUNTY )

I, the undersigned, a Notary Public in and for said County in said State hereby certify that DOUGLAS D. EDDLEMAN whose name as PRESIDENT of Eddleman Properties, Inc., an Alabama corporation, is signed to the foregoing Deed and Bill of Sale, and who is known to me, acknowledged before me on this day that, being informed of the contents of said Deed and Bill of Sale, 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 11 day of June 1997, 1997.

Rebecca K. Rasato  
Notary Public

AFFIX SEAL

My commission expires: 2/3/2001

This instrument prepared by:  
Wendy L. Cornett, Esq.  
Burr & Forman  
SouthTrust Tower  
420 North 20th Street, Suite 3100  
Birmingham, Alabama 35203

## EXHIBIT A

A parcel of land to be known Brook Highland 14th Sector situated in Section 30, Township 18 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows:

Begin at the Northwest corner of Lot 2003 in Brook Highland 20th Sector as recorded in Map Book 16, on Page 148, in the Office of the Judge of Probate, Shelby County, Alabama; thence run in a southeasterly direction along the Northeast line of Lots 2003 and 2002 in said Brook Highland 20th Sector for a distance of 161.18 feet to the Northwest corner of Lot 2001 in said Brook Highland 20th Sector; thence turn an angle to the left of 23 degrees 46 minutes 33 seconds and run in a Northeasterly direction along the Northwest line of said Lot 2001 for a distance of 175.00 feet to a point on the Northwest right-of-way line of Brook Highland Drive as recorded in Map Book 12, on Page 73 & 74, in the Office of the Judge of Probate, Shelby County, Alabama, said point being on a curve to the right having a central angle of 62 degrees 48 minutes 27 seconds and a radius of 411.97 feet; thence turn an angle to the right of 0 degrees 00 minutes 00 seconds to the radius of said curve and run in a northeasterly direction along the arc of said curve and also along said Northwest right-of-way line for a distance of 451.60 feet to a point; thence turn tangent to last stated curve and run in a northeasterly direction for a distance of 607.14 feet to a point on a curve to the left having a central angle of 23 degrees 05 minutes 48 seconds and a radius of 1,402.40 feet; thence run in a northeasterly direction along the arc of said curve and also along said Northwest right-of-way line for a distance of 565.32 feet to a point; thence turn tangent to last stated curve and run in a northeasterly direction along said Northwest right-of-way line for a distance of 281.47 feet to a point on a curve to the right having a central angle of 12 degrees 14 minutes 42 seconds and a radius of 848.51 feet; thence run in a northeasterly direction along the arc of said curve and also along said Northwest right-of-way line for a distance of 181.34 feet to a point; thence turn an angle to the left of 90 degrees 00 minutes 00 seconds from the tangent of last stated curve and run in a northwesterly direction for a distance of 125.00 feet to a point; thence turn an angle to the left of 59 degrees 56 minutes 07 seconds and run in a southwesterly direction for a distance of 108.88 feet to a point; thence turn an angle to the left of 42 degrees 18 minutes 35 seconds and run in a southwesterly direction for a distance of 498.14 feet to a point; thence turn an angle to the right of 5 degrees 40 minutes 09 seconds and run in a southwesterly direction for a distance of 320.75 feet to a point; thence turn an angle to the left of 76 degrees 43 minutes 47 seconds and run in a southeasterly direction for a distance of 139.46 feet to a point on the Northwest right-of-way line of said Brook Highland Drive, said point being on a curve to the right having a central angle of 4 degrees 09 minutes 27 seconds and a radius of 1,402.40 feet; thence turn an angle to the right of 0 degrees 00 minutes 00 seconds to the radius of said curve and run in a southwesterly direction along the arc of said curve and also along said Northwest right-of-way line for a distance of 101.76 feet to a point; thence turn tangent to last stated curve and run

in a southwesterly direction for a distance of 225.14 feet to a point; thence turn an angle to the right of 90 degrees 00 minutes 00 seconds and run in a northwesterly direction for a distance of 210.00 feet to a point; thence turn an angle to the left of 90 degrees 00 minutes 00 seconds and run in a southwesterly direction for a distance of 220.00 feet to a point; thence turn an angle to the right of 69 degrees 09 minutes 12 seconds and run in a northwesterly direction for a distance of 253.71 feet to a point; thence turn an angle to the right of 35 degrees 26 minutes 10 seconds and run in a northwesterly direction for a distance of 430.37 feet to a point; thence turn an angle to the left of 81 degrees 00 minutes 41 seconds and run in a southwesterly direction for a distance of 180.00 feet to a point on the Southeast line of Lot 2017 in said Brook Highland 20th Sector; thence turn an angle to the left of 43 degrees 21 minutes 08 seconds and run in a southwesterly direction along the Southeast line of said Lot 2017 for a distance of 14.79 feet to the Northeast corner of Lot 2016 in said Brook Highland 20th Sector; thence turn an angle to the left of 9 degrees 14 minutes 20 seconds and run in a southwesterly direction along the Southeast line of Lots 2016 through 2010 in said Brook Highland 20th Sector for a distance of 921.55 feet to the Northeast corner of Lot 2009 in said Brook Highland 20th Sector; thence turn an angle to the left of 64 degrees 55 minutes 08 seconds and run in a southeasterly direction along the Northeast line of Lots 2009 and 2008 in said Brook Highland 20th Sector for a distance of 142.32 feet to the Southeast corner of said Lot 2008; thence turn an angle to the right of 90 degrees 00 minutes 34 seconds and run in a southwesterly direction along the Southeast line of said Lot 2008 for a distance of 225.57 feet to a point on the Northeast right-of-way line of Brook Highland Ridge in said Brook Highland 20th Sector, said point being on a curve to the left having a central angle of 10 degrees 57 minutes 35 seconds and a radius of 731.89 feet; thence turn an angle to the left of 180 degrees 00 minutes 00 seconds to the radius of said curve and run in a southeasterly direction along the arc of said curve and also along said Northeast right-of-way line for a distance of 140.00 feet to the Northwest corner of Lot 2006 in said Brook Highland 20th Sector; thence turn an angle to the left of 90 degrees 00 minutes 00 seconds from the tangent of last stated curve and run in a northeasterly direction along the Northwest line of said Lot 2006 for a distance of 216.18 feet to the Northernmost corner of said Lot 2006; thence turn an angle to the right of 100 degrees 57 minutes 01 seconds and run in a southeasterly direction along the Northeast line of said Lot 2006 for a distance of 64.98 feet to a point; thence turn an angle to the left of 35 degrees 05 minutes 59 seconds and run in a southeasterly direction along the Northeast line of Lots 2006, 2005 and 2004 in said Brook Highland 20th Sector for a distance of 254.29 feet to the point of beginning. Said parcel containing 22.00 acres more or less 1997-18580

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