

THIS INSTRUMENT PREPARED BY:
WEATHINGTON & MOORE, P.C.
819 Parkway Drive, S.E.
Leeds, AL 35094

651-97
Send Tax Notice To:
Cole Realty & Investment
Company, Inc.

3508 Altabrook Drive
Birmingham, AL 35243

WARRANTY DEED

STATE OF ALABAMA
SHELBY COUNTY

KNOW ALL MEN BY THESE PRESENTS, That in consideration of TWO HUNDRED SIXTY THOUSAND AND NO/100 (\$260,000.00) DOLLARS to the undersigned Grantor (whether one or more), in hand paid by the Grantee herein, the receipt whereof is acknowledged, I or we, **LYMAN A. LOVEJOY A MARRIED MAN** (herein referred to as Grantor, whether one or more), grant, bargain, sell and convey unto **COLE REALTY & INVESTMENT COMPANY, INC.** (herein referred to as Grantee, whether one or more), the following described real estate, situated in Shelby County, Alabama, to-wit:

All that part of the West half of Section 13, Township 19 South, Range 2 East, lying North and West of the Atlantic Coast Line Railroad; being situated in Shelby County, Alabama.

The herein conveyed property does not constitute any portion of the homestead of the grantor nor that of his spouse.

SUBJECT TO: 1. Access to and from Parcel I of subject property limited by that perpetual easement recorded in Misc. Book 50 page 959 in the Probate Office of Shelby County, Alabama.
2/ Rights of upstream and downstream riparian owners with respect to Creek.
3. Mineral and mining rights and rights incident thereto recorded in Deed Book 326 page 730 in said Probate Office.

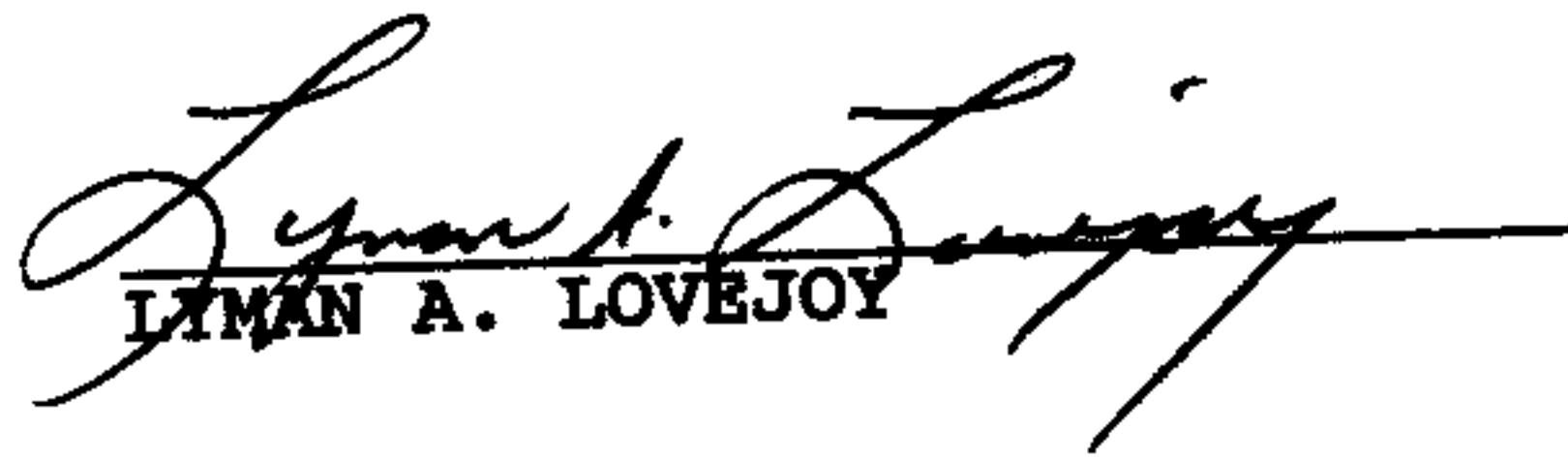
TO HAVE AND TO HOLD to the said Grantee, his, her or their heirs and assigns forever.

And I (we) do, for myself (ourselves) and for my (our) heirs, executors and administrators, covenant with said Grantee, his, her or their heirs and assigns, that I am (we are) lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise stated above; that I (we) have a good right to sell and convey the same as aforesaid; that I (we) will, and my (our) heirs, executors and administrators shall warrant and defend the same to the said Grantee, his, her or their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, I (we) have hereunto set my (our) hand(s) and seal(s) this 7th day of July 1997.

07/09/1997-21545
02:21 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 HCD 271.00

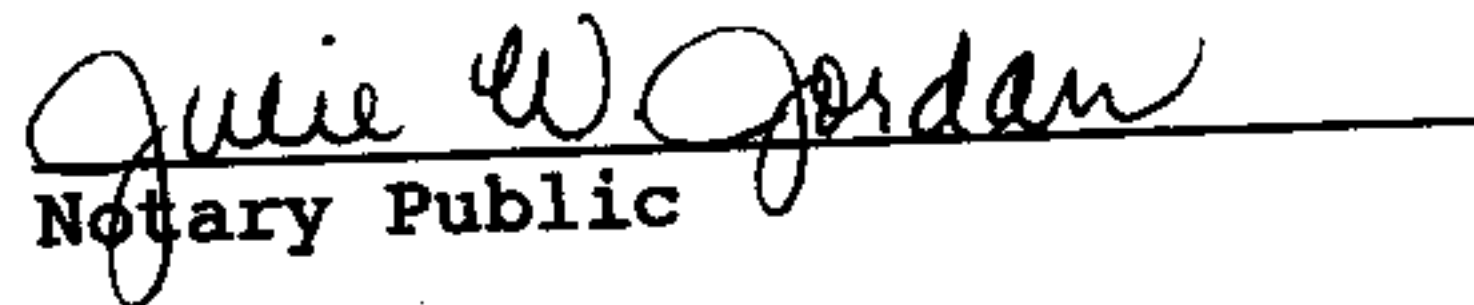
Inst # 1997-21545


LYMAN A. LOVEJOY

STATE OF ALABAMA
JEFFERSON COUNTY

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Lyman A. Lovejoy whose name(s) 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 executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 7th day of
July, 1997.


Notary Public

My Commission Expires:

4-23-2000

Inst # 1997-21545

07/09/1997-21545
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SHELBY COUNTY JUDGE OF PROBATE
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