

THIS INSTRUMENT PREPARED BY:

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P. O. Box 306
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Coales Branch, L.L.C.
c/o Mr. E. Todd Sharley, Jr.
2450 SouthTrust Tower
Birmingham, Alabama 35203

STATE OF ALABAMA)

SHELBY COUNTY)

**GENERAL
WARRANTY DEED**

KNOW ALL MEN BY THESE PRESENTS, that in consideration of FIVE HUNDRED FIFTY THOUSAND AND NO/100 DOLLARS (\$550,000.00) to the undersigned grantor, **ELIZABETH RUTH GUNTER**, a single person, hereinafter referred to as "Grantor", in hand paid by **COALES BRANCH, L.L.C.**, an Alabama limited liability company, hereinafter referred to as "Grantee", whether one or more, the receipt of which is hereby acknowledged, the said Grantor does by these presents, grant, bargain, sell and convey unto Grantee the following described real estate, situated in Shelby County, Alabama, together with all improvements and fixtures thereon and all easements and other appurtenances thereto together with all interest of Grantor in any land lying in or under the bed of any street, alley, road, right of way, stream or waterway abutting or immediately adjacent to the real estate and to any strips or gores, if any, between the real estate and abutting or immediately adjacent properties (the "Property"):

Property described on Exhibit A attached hereto and incorporated herein by reference. Parcel I and Parcel II are subject to the general warranties of Grantor, and Parcel III is conveyed by quitclaim.

[The entire purchase price is represented by notes secured by mortgages filed concurrently herewith.]

SUBJECT TO:

Taxes and assessments for the year 1997 and subsequent years, which are not yet due and payable.

Less and except any part of the Property lying within the right-of-way of a public road.

Coal, oil, gas and other mineral interests in, to or under the Property not owned by Grantor.

4. Easement to Plantation Pipeline appearing of record in Volume 253, page 572 in the Probate Office of Shelby County, Alabama.

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

And said Grantor does for herself, her heirs and assigns, covenant with said Grantee, its successors and assigns, that Grantor is lawfully seized in fee simple of Parcel I and Parcel II of the Property, that Parcel I and Parcel II of the Property are free from all encumbrances, that Grantor has a good right to sell and convey Parcel I and Parcel II of the Property as aforesaid, and that Grantor will, and her heirs and assigns shall, warrant and defend the same to the Grantee, its successors, executors and assigns forever, against the lawful claims of all persons.

With respect to Parcel III of the Property, the conveyance by Grantor to Grantee is by quitclaim only and Grantor does remise, release and quitclaim Parcel III of the Property to Grantee without any further warranty or representation regarding Parcel III.

IN WITNESS WHEREOF, Grantor has hereunto set her hand and seal effective as of the 12th day of September, 1997.

GRANTOR:

Elizabeth Ruth Gunter
Elizabeth Ruth Gunter

STATE OF ALABAMA)

COUNTY OF JEFFERSON)

I, Peggy Moore Huckbay, a Notary Public in and for said County in said State, hereby certify that Elizabeth Ruth Gunter, whose name 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, she executed the same voluntarily.

Given under my hand this the 12th day of September, 1997.

NOTARIAL SEAL

Peggy Moore Huckbay
Notary Public
My commission expires: 11-20-2000

EXHIBIT "A"

PARCEL I:

Part of the SW 1/4 of the SE 1/4 and part of the SE 1/4 of the SW 1/4, all in Section 13, Township 20 South, Range 3 West, Shelby County, Alabama, being more particularly described as follows:

From the locally accepted SE corner of said SE 1/4 of SW 1/4, run in a westerly direction along the south line of said 1/4-1/4 section for a distance of 527.71 feet, more or less, to an existing iron pin being on the east right of way line of Shelby County Highway No. 33; thence turn an angle to the right of $106^{\circ} 29' 19''$ and run in a northeasterly direction along the east right of way line of Shelby County Highway No. 33 for a distance of 100.0 feet to an existing iron rebar set by Laurence D. Weygand and being the point of beginning of a curve, said curve being concave in a southeasterly direction and having a central angle of $17^{\circ} 11' 24''$ and a radius of 1789.44 feet; thence turn an angle to the right and run in a northeasterly direction along the east right of way line of said Shelby County Highway No. 33 for a distance of 536.87 feet to an existing iron rebar set by Laurence D. Weygand and being on a point of compound curve, said newest curve being concave in a southeasterly direction and having a central angle of $2^{\circ} 04' 49''$ and a radius of 3010.30 feet; thence run in a northeasterly direction along the arc of said curve and along the east right of way line of said Shelby County Highway No. 33 for a distance of 109.30 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the right of $56^{\circ} 38' 56''$ from the chord of last mentioned curve and run in an easterly direction along the northerly line of a plantation pipeline right of way for a distance of 157.42 feet to an existing iron pin set by Laurence D. Weygand; thence turn an angle to the right of $3^{\circ} 50' 48''$ and run in an easterly direction along the northerly line of said plantation pipeline right of way for a distance of 242.17 feet, more or less, to a point on the centerline of Coales Branch and being the point of beginning; thence turn an angle to the right of 180° and run in a westerly direction for a distance of 242.17 feet, more or less, to an existing iron pin set by Laurence D. Weygand; thence turn an angle to the left of $3^{\circ} 50' 48''$ and run in a westerly direction for a distance of 157.42 feet to an existing iron pin set by Laurence D. Weygand and being on the east right of way line of said Shelby County Highway No. 33, said point being on a curve, said curve being concave in a southeasterly direction and having a central angle of $1^{\circ} 27' 59''$ and a radius of 3010.30 feet; thence turn an angle to the right ($125^{\circ} 07' 27''$ to chord) and run in a northeasterly direction along the east right of way line of Shelby County Highway No. 33 for a distance of 77.04 feet to an existing iron pin set by Laurence D. Weygand; thence run in a northeasterly direction along a line tangent to the end of said curve and along said east right of way line of Shelby County Highway No. 33 for a distance of 202.24 feet to an existing iron pin set by Laurence D. Weygand and the point of beginning of a new curve, said new curve being concave in a northwesterly direction and having a central angle of $18^{\circ} 44' 44''$ and a radius of 1240.47 feet; thence run in a northeasterly direction along the arc of said curve and along the east right of way line of Shelby County Highway No. 33 for a distance of 405.85 feet to an existing iron pin set by Laurence D. Weygand; thence run in a northeasterly direction along a line tangent to the end of said curve and along said right of way line for a distance of 81.34 feet to an existing iron rebar; thence turn an angle to the right of $71^{\circ} 32' 00''$ and run in an easterly direction for a distance of 568.09 feet more or less, to a point of intersection with the centerline of Coales Branch; thence turn an angle to the right and run in a southerly, westerly, northwesterly, and southwesterly direction along the meanderings of the centerline of said Coales Branch for a distance of 1200 feet, more or less, to the point of beginning.

PARCEL II:

Part of the SE 1/4 of the SW 1/4 and part of the SW 1/4 of the SE 1/4 of Section 13, Township 20 South, Range 3 West, Shelby County, Alabama, being more particularly described as follows:

Continued. . .

From the locally accepted Southwest corner of the SW 1/4 of the SE 1/4 of said Section 13, Township 20 South, Range 3 West run in an easterly direction along the South line of said SW 1/4 of the SE 1/4 for a distance of 70.89 feet, more or less, to a point in the center of Coales Branch being the point of beginning; thence turn an angle to the right of 180° 00' and run in a westerly direction along the south line of said SW 1/4 of SE 1/4 and SE 1/4 of SW 1/4 for a distance of 598.60 feet, more or less, to an existing iron pin being on the east right of way line of Shelby County Highway No. 33; thence turn an angle to the right of 106° 29' 19" and run in a northeasterly direction along the east right of way line of said Shelby County Highway No. 33 for a distance of 100.0 feet to an existing iron rebar set by Laurence D. Weygand and being the point of beginning of a curve; said curve being concave in a southeasterly direction and having a central angle of 17° 11' 24" and a radius of 1789.44 feet; thence turn an angle to the right and run in a northeasterly direction along the east right of way line of said Shelby County Highway No. 33 for a distance of 536.87 feet to an existing iron rebar set by Laurence D. Weygand and being on a point of compound curve, said newest curve being concave in a southeasterly direction and having a central angle of 2° 04' 49" and a radius of 3010.30 feet; thence run in a northeasterly direction along the arc of said curve and along the east right of way line of Shelby County Highway No. 33 for a distance of 109.30 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the right of 56° 38' 56" from the chord of last mentioned curve and run in an easterly direction along the northerly line of a plantation pipeline right of way for a distance of 157.42 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the right of 3° 50' 48" and run in an easterly direction along the northerly line of said plantation pipeline right of way for a distance of 242.17 feet, more or less, to the point of intersection with the centerline of Coales Branch; thence turn an angle to the right and run in a southerly direction along the centerline meanderings of said Coales Branch for a distance of 752.75 feet, more or less, to the point of beginning.

PARCEL III:

All that part of the following described property, if any, which is not included within either Parcel 1 or Parcel 2 above (which Parcels I and II are conveyed with general warranties of Grantor):

All that part of the SW 1/4 of the SE 1/4 of Section 13, Township 20 South, Range 3 West that lies West of Coats Branch and Southeast of Shelby County Highway No. 33.

ALSO, all that part of the SE 1/4 of the SW 1/4 of Section 13, Township 20 South, Range 3 West, that lies Southeast of Shelby County Highway No. 33. Property situated in Shelby County, Alabama.

Identified by:

COALES BRANCH, L.L.C.

By

E. Todd Sharley
E. Todd Sharley, its Member

Elizabeth Ruth Gunter
Elizabeth Ruth Gunter

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