

Send Tax Notice To
CLP Corporation
124 Summit Parkway
Birmingham, Alabama 35209

Inst # 1997-32378

WARRANTY DEED

THIS IS A WARRANTY DEED executed and delivered this 25th day of September, 1997, by **BIG BEN, INC.**, an Alabama corporation, (hereinafter referred to as the "Grantor") to **CLP CORPORATION**, an Alabama corporation (hereinafter referred to as the "Grantee").

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of the sum of Sixty-Five Thousand Three Hundred and 00/100 Dollars (\$65,300.00) in hand paid by the Grantee to Grantor, the receipt and sufficiency of which are hereby acknowledged, the Grantor does by these presents grant, bargain, sell and convey unto the Grantee, the undivided one-half interest of Grantor in the real estate specifically described as follows and located in Shelby County, Alabama, to-wit:

Lot 9-A according to a Resurvey of Lots 8-A and 9, Cahaba Park South, as recorded in Map Book 13, page 76, in the Probate Office of Shelby County, Alabama;

TOGETHER WITH all appurtenances thereto belonging or in anywise appertaining and all right, title and interest of Grantor in and to any and all roads, alleys and ways bounding said premises.

This conveyance is subject to those restrictions and encumbrances set forth on the attached *Exhibit "A"*.

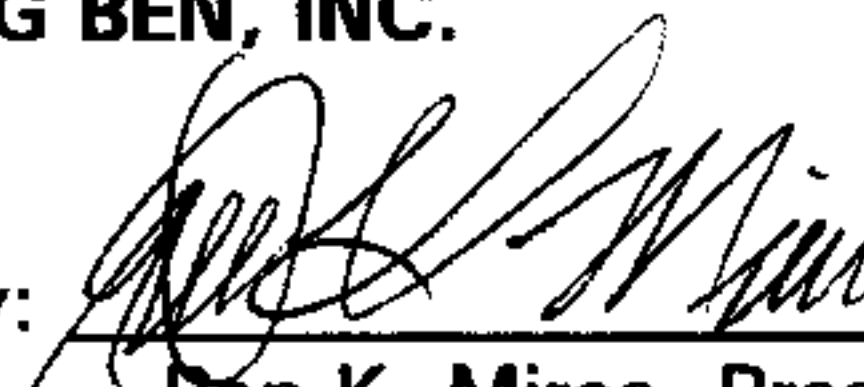
TO HAVE AND TO HOLD, to the said Grantee, its successors and assigns forever.

And said Grantor does for itself, its successors and assigns, covenant with said Grantee, its successors and assigns, that it is lawfully seized in fee simple of said premises; that said premises are free from all encumbrances, except as noted above; that it has a good right to sell and convey the same as aforesaid; and that it will, and its successors and assigns shall warrant and defend the same to the said Grantee, its successors and assigns forever, against the lawful claims of all persons.

10/06/1997-32378
11:24 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 MCD 79.00

IN WITNESS WHEREOF, the Grantor has caused this Warranty Deed to be executed by its duly authorized officer on this 25th day of September, 1997.

BIG BEN, INC.

By: 
Ben K. Miree, President

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Ben K. Miree, whose name as President of **BIG BEN, INC.**, an Alabama corporation is signed to the foregoing Warranty Deed, and who is known to me, acknowledged before me on this day that, being informed of the contents of the Warranty Deed, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation on the day the same bears date.

Given under my hand this 25th day of September, 1997.


Notary Public
My Commission Expires: 9/16/00

THIS INSTRUMENT PREPARED BY:
Berkowitz, Lefkovits, Isom & Kushner, P.C.
1600 SouthTrust Tower
Birmingham, Alabama 35203

EXHIBIT "A"

General and special taxes or assessments for 1997 and subsequent years not yet due and payable.

Right-of-Way granted to Alabama Power Company by instrument(s) recorded in Deed Book 285, Page 802 and Real Volume 67, Page 559.

Restrictions appearing of record in Real Volume 37, Page 96, and as amended in Real Volume 51, Page 996.

Reciprocal easement agreement between Investment Southeastern, Ltd., and Kovach-Eddleman Properties, as recorded in Real Volume 38, Page 59.

Agreement between Investment Southeastern, Ltd., and Kovach-Eddleman Properties, as recorded in Real Volume 38, Page 71.

Covenants, agreements and restrictions as recorded in Real Volume 69, Page 393.

Declaration of Easements as recorded in Real Volume 71, Page 925.

Declaration of Protective Covenants and Agreements as recorded in Real Volume 71, Page 931.

A non-exclusive easement to operate, repair and maintain a storm sewer line, as recorded in Real Volume 71, Page 994.

A non-exclusive easement for maintenance, operation and repair of sewer trunk lines, etc., as recorded in Real Volume 72, Page 1.

A non-exclusive easement to operate, repair and maintain sanitary sewer lines, etc., in Real Volume 73, Page 986.

Declaration of Restrictive Covenants as recorded in Real Volume 87, Page 644.

BNM ~~Right-of-Way granted to Alabama Power Company by instrument(s) recorded in Real Volume 323, Page 688.~~

Easements as shown on Map Book 9, Page 164 and Map Book 13, Page 76.