

THIS INSTRUMENT PREPARED BY:
James J. Odom, Jr.
Post Office Box 11244
Birmingham, AL 35202-1244

SEND TAX NOTICE TO:
Roy Martin Construction, Inc.
329 Business Circle, Suite A
Pelham, Alabama 35124

STATE OF ALABAMA

Inst # 1998-13584

COUNTY OF SHELBY

04/16/1998-13584
WARRANTED CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
553.50

KNOW ALL MEN BY THESE PRESENTS THAT in consideration of Five Hundred Forty Thousand and No/100 Dollars (\$540,000.00) and other good and valuable consideration, to the undersigned, Peggie J. Killingsworth, a married woman ("Grantor") , in hand paid by Roy Martin Construction, Inc. ("Grantee"), the receipt and sufficiency of which are hereby acknowledged, Grantor does by these presents, grant, bargain, sell and convey unto the said Grantee the following described real estate, situated in Shelby County, Alabama (the "Real Estate"), to-wit:

SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION.

SUBJECT TO: (1) Current taxes; (2) Transmission Line Permits to Alabama Power Company as shown by instruments recorded in Deed Book 174, Page 309; Deed Book 99, Page 465; Deed Book 103, Page 168, and Deed Book 206, Page 220 (Parcel I); (3) Rights of Way granted to Shelby County by instruments recorded in Deed Book 102, Page 420, and Deed Book 174, Page 125, in Probate Office (Parcel I); (4) Encroachment of fence onto property adjoining on the SE corner, as shown on survey by Robert Blain, RLS #9789 dated June 19, 1996 (Parcel I); (5) Encroachment of fence onto the land as shown on survey by Robert Blain, RLS #9789 dated June 19, 1996 (Parcel I); (6) Reservation of ingress, egress and drainage and utility easement as set out in Inst. #1997-7984 in Probate Office (Parcel I); (7) Easements as shown on Map Book 23, Page 7 (Parcel I); (8) Easements as shown by recorded plat, including as shown on Map Book 23, Page 7 (Parcel II); (9) Restrictions, covenant, and conditions as set out in instrument recorded in Inst. #1997-30687 in Probate Office; (10) Transmission Line Permits to Alabama Power Company as shown by instruments recorded in Deed Book 174, Page 309; Deed Book 99, Page 465; Deed Book 103, Page 168, and Deed Book 206, Page 220, in said Probate Office (Parcel II); (11) Covenant releasing predecessor in title from any liability arising from sinkholes, limestone formations, soil conditions or any other known or unknown surface or subsurface conditions that may now or hereafter exist or occur or cause damage to subject property, as shown by instrument recorded in Map Book 23, Page 7, in Probate Office (Parcel II); (12) Restrictions, limitations and conditions as set out in Map Book 23, Page 7 (Parcel II); (13) Reservation of ingress, egress, drainage and utility easements as set out in Inst. #1997-7984 in Probate Office (Parcel II).

This property does not constitute the homestead of Grantor herein.

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

And Grantor does for herself, her heirs and assigns, covenant with Grantee, its successors and assigns, that she is lawfully seized in fee simple of the Real Estate; that the Real Estate is free from all encumbrances, unless otherwise noted above; that Grantor has a good right to sell and convey the same as aforesaid; that Grantor will, and their heirs and assigns shall, warrant and defend the same to the Grantee, its successors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the undersigned have executed this conveyance on this the 9th day of April, 1998.

WITNESSES:

Peggie J. Killingsworth

STATE OF ALABAMA)
COUNTY OF SHELBY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Peggie J. Killingsworth, a married woman, whose name 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, she executed the same voluntarily on the day the same bears date.

Given under my hand and seal this 9th day of April, 1998.

Notary Public

My Commission Expires: 6-21-2001

Exhibit A

Inst # 1998-13584

04/16/1998-13584

09:52 AM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE

003 SNA 553.50

Parcel I

SUMMERCHASE PHASE 2

A parcel of land situated in the S 1/2 of Section 33, Township 21 South, Range 2 West, City of Calera, Shelby County, Alabama, being more particularly described as follows: Commence at the NE corner of Lot 12 of Summerchase Phase I, as recorded in Map Book 23 page 7 in the Office of the Judge of Probate in Shelby County, Alabama, said point also being the point of beginning; thence North 33 deg. 49 min. 04 sec. West for a distance of 46.58 feet; thence North 86 deg. 29 min. 22 sec. West for a distance of 1261.45 feet to a point on the Easterly right of way of CSX Transportation Railroad; thence South 10 deg. 33 min. 59 sec. East along said right of way for a distance of 1103.85 feet; thence North 89 deg. 02 min. 00 sec. East and leaving said right of way for a distance of 288.90 feet; thence North 79 deg. 26 min. 01 sec. East for a distance of 383.52 feet; thence North 10 deg. 33 min. 59 sec. West for a distance of 120.00 feet; thence North 79 deg. 26 min. 01 sec. East for a distance of 189.11 feet to a point on a curve to the left having a central angle of 21 deg. 29 min. 59 sec. and a radius of 1050.00 feet; said curve subtended by a chord bearing North 68 deg. 41 min. 02 sec. East and a chord distance of 391.69 feet; thence along the arc of said curve for a distance of 394.00 feet; thence North 32 deg. 03 min. 58 sec. West for a distance of 50.00 feet to a point on the Northerly right of way line of Summerchase Drive (50 feet right of way) said point also a point on a curve to the left having a central angle of 1 deg. 47 min. 05 sec. and a radius of 1000.00 feet, said curve subtended by a chord bearing North 57 deg. 02 min. 30 sec. East and a chord distance of 31.15 feet; thence along the arc of said curve and along said right of way for a distance of 31.15 feet; thence North 33 deg. 51 min. 03 sec. West and leaving said right of way for a distance of 99.84 feet; thence South 55 deg. 03 min. 25 sec. West for a distance of 82.24 feet; thence South 64 deg. 57 min. 45 sec. West for a distance of 83.90 feet; thence North 23 deg. 33 min. 05 sec. West for a distance of 98.34 feet; thence North 23 deg. 45 min. 02 sec. West for a distance of 50.00 feet; thence North 23 deg. 31 min. 53 sec. West for a distance of 103.32 feet; thence North 60 deg. 45 min. 40 sec. East for a distance of 30.03 feet; thence North 25 deg. 37 min. 18 sec. West for a distance of 99.24 feet; thence North 34 deg. 59 min. 13 sec. West for a distance of 50.74 feet; thence North 24 deg. 40 min. 31 sec. West for a distance of 97.79 feet; thence North 58 deg. 46 min. 35 sec. East for a distance of 63.97 feet; thence North 56 deg. 10 min. 56 sec. East for a distance of 105.55 feet to a point on the Northeasterly right of way line of Summerchase Parkway (50 feet right of way); thence South 33 deg. 49 min. 04 sec. East along said right of way for a distance of 88.39 feet; thence North 56 deg. 10 min. 56 sec. East and leaving said right of way for a distance of 100.00 feet to the point of beginning; being situated in Shelby County, Alabama.

Parcel II

Lots 2, 76, 77, 105 and 106, according to the Survey of Summerchase, Phase 1, as recorded in Map Book 23 page 7 in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.