

VALUE: \$877,500.00

**SEND TAX NOTICE TO:**

Rodney E. Davis/A. Neal Shirley

1821 Highway 39

Chelsea, AL 35043

This instrument was prepared by:  
**WALLACE, ELLIS, FOWLER & HEAD**  
P. O. Box 587  
Columbiana, AL 35051

**WARRANTY DEED**

**STATE OF ALABAMA  
SHELBY COUNTY**

**KNOW ALL MEN BY THESE PRESENTS:**

That in consideration of Eight Hundred Seventy-seven Thousand Five Hundred and no/100 Dollar (\$877,500.00) to the undersigned grantor (whether one or more), in hand paid by the grantee herein, the receipt whereof is acknowledged, I or we, **Double Mountain L.L.C.**, an Alabama limited liability company (herein referred to as grantor, whether one or more), grant, bargain, sell and convey unto **Rodney E. Davis** an undivided seventy-seven and twenty-one one-hundredth percent (77.21%) interest and unto **A. Neal Shirley** an undivided twenty-two and seventy-nine one-hundredth percent (22.79%) interest (herein referred to as grantee, whether one or more), the following described real estate, situated in Shelby County, Alabama, to-wit:

Property described on Exhibit "A" attached hereto and made part and parcel hereof as fully as if set out herein, which said Exhibit "A" is signed by Grantor herein for identification.

This conveyance is subject to the following:

1. Any prior reservation or conveyance of record heretofore executed by any prior owner, together with release of damages of minerals of every kind and character therein contained, including, but not limited to gas, oil, sand, and gravel in, on and under subject property as therein provided.
2. Mineral and mining rights not owned by Grantor and all rights, privileges, conditions and covenants in connection therewith. (Parcel I)
3. Rights(s)-of-Way(s) granted to Alabama Power Company by instrument(s) recorded in Deed Book 127 page 336 in Probate Office. (Parcel I)
4. If applicable, railroad right of way reserved by South and North Alabama Railroad by Deed Book "T" page 655 in the Probate Office. (Parcel I)
5. If applicable, railroad right of way referred to in deed recorded in Deed Book 23 page 100 in the Probate Office. (Parcel I)
6. Memorandum and Affidavit regarding oil and gas lease between Kimberly-Clark Corporation and the Anschutz Corporation dated February 9, 1982 and recorded in Misc. Book 45 page 303 in Probate Office. (Parcel I)
7. Transmission Line Permit(s) to Alabama Power Company as shown by instrument(s) recorded in Deed Book 230 page 834 and Deed Book 126 page 67 in Probate Office. (Parcel II)
8. Transmission Line Permit(s) to Alabama Power Company as shown by instrument(s) recorded in Deed Book 236 page 158, Deed Book 230 page 832, Deed Book 216 page 616 and Deed Book 126 page 67 in the Probate Office. (Parcel III)

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04:09 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
003 MCL 891.00

Inst # 1998-16151

9. Grantees, their heirs, successors and assigns further agree and covenant that for a period of thirty (30) years from the date hereof there shall be no mobile homes, house trailers, or occupied campers placed on said property nor shall there be any Mobile Home or House Trailer Park placed, established, or operated on said property for said period. By the acceptance and recording of this deed, Grantees do agree and bind Grantees, their heirs, successors, and/or assigns to said covenant in favor of Grantor, its successors and/or assigns.

There is excepted from this conveyance any portion of the property described herein which lies within the highway right of way for County Road 36.

This deed is executed in compliance with and as required by the Articles of Organization and the Operational Agreement, neither of which have been modified or amended.

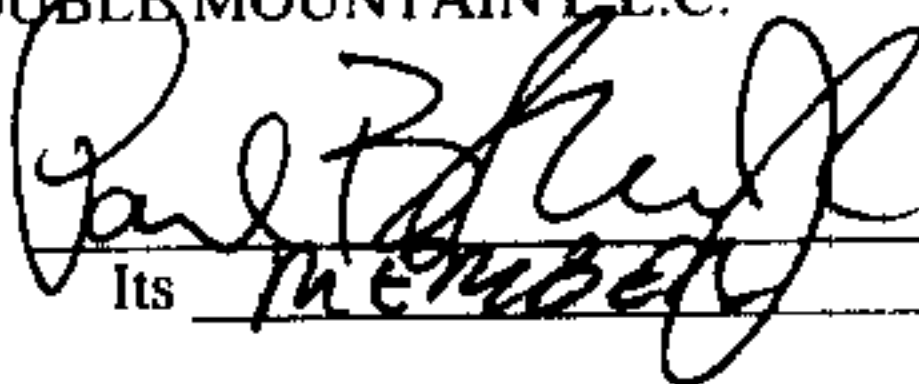
**TO HAVE AND TO HOLD** to the said grantee, his, her or their heirs and assigns forever.

And I (we) do for myself (ourselves) and for my (our) heirs, executors and administrators covenant with the said grantees, 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 noted 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 grantees, their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, I (we) have hereunto set my hand(s) and seal(s), this 4<sup>th</sup> day of May, 1998.

DOUBLE MOUNTAIN L.L.C.

By:



(SEAL)

Its

member

STATE OF ALABAMA  
COUNTY OF SHELBY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Paul B. Shaw, whose name as member of Double Mountain L.L.C., an Alabama limited liability company, 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 such instrument, 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 4<sup>th</sup> day of May, 1998.

  
Notary Public

This is page two of a three-page deed of conveyance from Double Mountain, L.L.C. to Rodney E. Davis and A. Neal Shirley of 195 acres, more or less, Shelby County, Alabama.

# EXHIBIT "A"

## Parcel I

The S 1/2 of the SW 1/4 of Section 32, Township 19 South, Range 1 West, lying Southeast of the 700 foot contour line.

The W 1/2 of the NW 1/4, lying Southeast of the 700 foot contour line; the NE 1/4 of the NW 1/4, except 3.3 acres in the SE corner; the West 25 acres of the SE 1/4 of the NW 1/4; of Section 5, Township 20 South, Range 1 West.

The E 1/2 of the NE 1/4 of the SE 1/4; all of the NE 1/4, lying Southeast of the 700 foot contour line; of Section 6, Township 20 South, Range 1 West.

All being situated in Shelby County, Alabama, containing 185 acres, more or less.

## Parcel II

A parcel of land in the NE 1/4 of the SW 1/4 of Section 5, Township 20 South, Range 1 West, Shelby County, Alabama, described as follows:

From the SE corner of the NE 1/4 of SW 1/4 of Section 5, Township 20 South, Range 1 West, run North along the East boundary of said 1/4 1/4 Section a distance of 575.8 feet to the point of beginning of herein described parcel of land; thence turn 108 deg. 15 min. left and run 170.0 feet; thence turn 05 deg. 09 min. left and run 208.5 feet; thence turn 66 deg. 36 min. left and run 208.7 feet; thence turn 65 deg. 09 min. right and run 54.5 feet; thence turn 114 deg. 51 min. right and run 705.6 feet; thence turn 92 deg. 35 min. left and run 208.7 feet; thence turn 92 deg. 35 min. right and run 417.4 feet; thence turn 87 deg. 25 min. right and run 611.3 feet; thence turn 92 deg. 35 min. right and run 773.5 feet to the point of beginning of herein described parcel of land; being situated in Shelby County, Alabama, containing 10 acres, more or less.

## Parcel III

Part of the Northeast 1/4 of the the Southwest 1/4 of Section 5, Township 20 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows: From the Southeast corner of said Northeast 1/4 of Southwest 1/4 run in a Northerly direction along the East line of said 1/4-1/4 Section for a distance of 575.42 feet to an existing 1 1/2" capped iron pipe; thence turn an angle to the left of 108° 11' 36" and run in a Southwesterly direction for a distance of 169.84 feet; thence turn an angle to the left of 5° 10' 26" and run in a Southwesterly direction for a distance of 128.46 feet to the point of beginning; thence continue in a Southwesterly direction along last mentioned course for a distance of 80.02 feet; thence turn an angle to the left of 66° 33' 35" and run in a Southerly direction for a distance of 208.59 feet; thence turn an angle to the left 114° 48' 51" and run in a Northeasterly direction along the Northwest right-of-way line of Shelby County Highway No. 36 for a distance of 73.01 feet; thence turn an angle to the left 88° 15' and run in a Northwesterly direction for a distance of 43.08 feet; to the point of beginning of a curve, said curve being concave in an Easterly direction and having a central angle of 42° 0' and a radius of 157.57 feet; thence turn an angle to the right and run in a Northwesterly, Northerly and Northeasterly directions along the arc of said curve for a distance of 115.50 feet to the point of ending of said curve; thence run in a Northeasterly direction along the line tangent to the end of said curve for a distance of 18.0 feet to the point of beginning of a new curve said newest curve being concave in Southeasterly direction and having a central angle of 16° 36' 20" and a radius of 150.71 feet; thence turn an angle to the right and run in a Northeasterly direction along the arc of said curve for a distance of 44.56 feet, more or less, to the point of beginning. Containing 0.29 acres, more or less.

SIGNED FOR IDENTIFICATION:

Double Mountain L.L.C.

Inst # 1998-16151

By PAUL B. SHAW, JR.  
Its MEMBER

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04:09 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
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