

real 2,210,000
2,210,000
Send tax notice to:

✓Birmingham Realty Company
2118 1st Avenue North
Birmingham, Alabama 35203

This instrument prepared by:

Charles A. J. Beavers, Jr.
Bradley Arant Rose & White LLP
2001 Park Place, Suite 1400
Birmingham, Alabama 35203-2736

STATE OF ALABAMA)

SHELBY COUNTY)

1998-18165
GENERAL WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

05/18/1998-18165
11:41 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
004 SMA 2286.00

That in consideration of Ten Dollars (\$10.00) and other good and valuable considerations in hand paid to McWane, Inc., a Delaware corporation, as successor by merger to McWane Financial Corporation, Inc., a Delaware corporation ("Grantor") by Birmingham Realty Company, an Alabama corporation ("Grantee"), the receipt and sufficiency of which are hereby acknowledged, Grantor does hereby grant, bargain, sell, and convey unto Grantee, subject to the matters hereinafter set forth, the following described real estate situated in Shelby County, Alabama, to-wit:

A part of the southwest quarter of Section 36, Township 18 South, Range 2 West, being more particularly described as follows:

Commence at the southwest corner of the northwest quarter of the southwest quarter and sighting north along the west line of said quarter-quarter section turn an angle left of 44°12' and run northwesterly 354.20 feet; thence turn an angle right of 78°37' and run northeasterly 638.56 feet; thence turn right 30°46'30" and run northeasterly 225.67 feet; thence turn right 92°42' and run southeasterly 80.08 feet to the point of beginning, said point being on the southerly line of proposed right-of-way of county road; thence continue southeasterly along same course 292.25 feet to a point on water line of Inverness Lake; thence follow meanderings along shoreline as follows, from said last course turn an angle left of 12°02' and run southeasterly 29.58 feet; thence right 10°03'30" and run southeasterly 96.88 feet; thence left 9°07' and run southeasterly 33.20 feet; thence left 11°44' and run southeasterly 26.5 feet; thence left 10°12'30" and run southeasterly 48.84 feet; thence right 34°23'30" and run southeasterly 36.1 feet; thence left 14°03'30" and run southeasterly 50.54 feet; thence left 30°51'30" and run southeasterly 15.73 feet; thence left 29°16' and run easterly 44.08 feet; thence right 65°09' and run southeasterly 21.38 feet; thence left 42°14' and run southeasterly 43.65 feet;

thence left 49°02'30" and run northeasterly 57.69 feet; thence left 10°44' and run northeasterly 81.30 feet; thence left 28°35'30" and run northeasterly 11.74 feet; thence left 32°57' and run northerly 31.6 feet; thence right 39°24'30" and run northeasterly 37.38 feet; thence left 29°08'30" and run northerly 56.48 feet; thence left 32°54'30" and run northwesterly 30.72 feet; thence left 11°41' and run northwesterly 66.65 feet; thence right 101°46' and run northeasterly 29.50 feet; thence right 47°42'30" and run southeasterly 32.48 feet; thence left 56°30' and run northeasterly 18.0 feet; thence left 27°27' and run northeasterly 43.28 feet; thence right 2°56'30" and run northeasterly 79.32 feet; thence left 9°16'30" and run northeasterly 26.5 feet; thence left 6°20' and run northerly 95.19 feet to a point; thence left 41°57' and leaving the meanderings of said lake run a distance of 82.0 feet to a point; thence turn an angle to the left of 26°23' and run 100.9 feet to a point; thence turn an angle to the right of 32°42'30" and run 102.84 feet to a point on the southerly right of way line of a proposed new county road; thence left along a curve to the right of said county road having a radius of 913.06 feet; turn an angle of 86°39'27" to tangent and run southwesterly a distance of 36.24 feet to a point, said point being the end of said curve and beginning of tangent; thence continue along said tangent a distance of 383.43 feet to point of beginning.

McWane Financial Corporation, Inc. was one and the same entity as McWane Financial Corporation.

TO HAVE AND TO HOLD unto Grantee, its successors and assigns forever; subject, however, to the following:

1. Ad valorem taxes for the 1998 tax year and thereafter
2. Right-of-way granted to Alabama Power Company by instrument recorded in Deed Volume 317, page 274, in the Probate Office of Shelby County
3. Mineral and mining rights and rights incident thereto and Declaration of Protective Covenants as recorded in Volume 307, page 134, in said Probate Office, but omitting any covenant or restriction based on race, color, religion, sex, handicap, familial status, or national origin
4. Easement to Birmingham Cahaba Coal Company recorded in Volume 113, page 548, in said Probate Office
5. Right-of-way granted to Alabama Power Company by instrument recorded in Volume 121, page 140, and Volume 109, page 290, in said Probate Office
6. Mineral and mining rights and rights incident thereto recorded in Volume 4, page 442, and Volume 5, page 355, in said Probate Office

Grantor does for itself, its successors and assigns, covenant with Grantee, its successors and assigns, that it is lawfully seized in fee simple of said premises; that they are free from all encumbrances except as set forth hereinabove; 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 Grantee, its successors and assigns forever against the lawful claims of all persons.

IN WITNESS WHEREOF, Grantor has caused these presents to be executed for and in its corporate name by its duly authorized officer on or as of the 15th day of May, 1998.

McWANE, INC.

By: Charles F. Nowlin
Charles F. Nowlin
Its Vice President

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned, a notary public in and for said county in said state, hereby certify that Charles F. Nowlin, whose name as Vice President of McWane, Inc., a Delaware corporation, 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, 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 15th day of May, 1998.

Joanne S. Moore
Notary Public

MY COMMISSION EXPIRES OCTOBER 9, 2000

[NOTARIAL SEAL]

My commission expires: _____

**CERTIFIED RESOLUTIONS ADOPTED BY
BOARD OF DIRECTORS OF MCWANE, INC.
ON MAY 4, 1998**

The undersigned, being the duly elected and acting Secretary of McWane, Inc., a Delaware corporation (the "Corporation"), does hereby certify that (a) the following resolutions were duly adopted at a meeting of the Board of Directors of the Corporation duly called and held on May 4, 1998, (b) and said resolutions have not been amended or rescinded but remain in full force and effect on the date of this certificate:

WHEREAS, as the Board of Directors of the Corporation deem it advisable and in the best interests of the Corporation that McWane, Inc. as successor in interest to McWane Financial Corporation, who was merged into McWane, Inc. on December 18, 1987, sell that certain real property located at:


23 Inverness Center Parkway
Birmingham, Alabama 35243; and

WHEREAS, Birmingham Realty Company has made an offer to the Corporation to purchase the Property from the Corporation for a purchase price of \$2,212,500; and

WHEREAS, the Board of Directors of the Corporation deem it advisable and in the best interest of the Corporation that the Corporation sell the property to Birmingham Realty Company;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Corporation approves the sale of the above mentioned real property and hereby authorizes any Vice President or above of the Corporation to perform all such acts to close the sale described herein.

Dated: May 14, 1998



Secretary of McWane, Inc.

AFFIX CORPORATE SEAL

Inst # 1998-18165

05/18/1998-18165
11:41 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
004 SMA 2226.00