

STATE OF ALABAMA)  
SHELBY COUNTY )

STATUTORY WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That for and in consideration of THREE HUNDRED THOUSAND AND NO/100 (\$300,000.00) to the undersigned GRANTOR in hand paid by the GRANTEEES herein, the receipt whereof is acknowledged, ANN J. SHAW; JOHN E. GUESS and SOUTHTRUST BANK, ~~XXXXXXXXXX~~, NATIONAL ASSOCIATION as TRUSTEES OF TRUST B, CREATED UNDER ITEM THREE (b), created under the Will of HENRY P. JOHNSTON, deceased (GRANTOR) does grant, bargain, sell and convey unto SUNSHINE, L.L.C an Alabama Limited Liability Company (GRANTEE) the following described real estate situated in SHELBY COUNTY, ALABAMA to-wit:

THE PROPERTY CONVEYED BY THIS DEED IS DESCRIBED ON EXHIBIT "A" ATTACHED HERETO, MADE A PART HEREOF AND INCORPORATED HEREIN FOR ALL PURPOSES.

Subject to:

1. Taxes for the year 1998 and thereafter;
2. Right of way to Alabama Power Company in Deed Book 113, Page 69, and Deed Book 167, Page 401;
3. Easement to the Town of Wilsonville, Alabama in Deed Book 302, Page 334;
4. Restrictions of record in Deed Book 292, Page 334;
5. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges, immunities relating thereto not owned by the GRANTOR;
6. Less and except any part of subject property lying within the right of way of a public road.

TO HAVE AND TO HOLD unto the said GRANTEE.

IN WITNESS WHEREOF, the said GRANTOR has caused this conveyance to be executed this the 9<sup>th</sup> day of April, 1998.

Ann J. Shaw  
ANN J. SHAW AS TRUSTEE OF TRUST  
B, CREATED UNDER ITEM THREE (b)  
OF THE WILL OF HENRY P. JOHNSTON

John E. Guess  
JOHN E. GUESS AS TRUSTEE OF TRUST  
B, CREATED UNDER ITEM THREE (b)  
OF THE WILL OF HENRY P. JOHNSTON

SOUTHTRUST BANK ~~XXXXXXXXXX~~,  
NATIONAL ASSOCIATION IN ITS  
CAPACITY AS TRUSTEE OF TRUST  
B, CREATED UNDER ITEM THREE (b)  
OF THE WILL OF HENRY P. JOHNSTON

By: Stephen J. Self  
Its: SR. VICE PRESIDENT

This instrument is executed by SouthTrust Bank, National Association solely in the representative capacity named herein, and neither this instrument nor anything herein contained shall be construed as creating any indebtedness or obligation on the part of SouthTrust Bank, National Association in its individual or corporate capacity. It is understood that SouthTrust Bank, National Association is not a party hereto in its individual or corporate capacity and shall not be liable herein on any account whatsoever.

STATE OF TX)  
Williamson COUNTY)

I, the undersigned, a Notary Public, in and for said County in said State, hereby certify that ANN J. SHAW, whose name as Trustee of Trust B, created under Item Three (b) of the Will of Henry P. Johnston, and who is known to me, acknowledged before me on this day, that being informed of the contents of said conveyance, she, as such Trustee, and with full authority, executed the same voluntarily for and as the act of Trust.

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

MUST AFFIX SEAL

Donna M. H. Muel  
Notary Public  
Print Name: Donna M. H. Muel  
Commission Expires: 1-20-02

STATE OF ALABAMA  
JEFFERSON COUNTY

I, Gene W. Gray, Jr., a Notary Public in and for said County in said State, hereby certify that JOHN E. GUESS whose name as Trustee of Trust B, created

08/18/1998-32072  
03:29 PM CERTIFIED

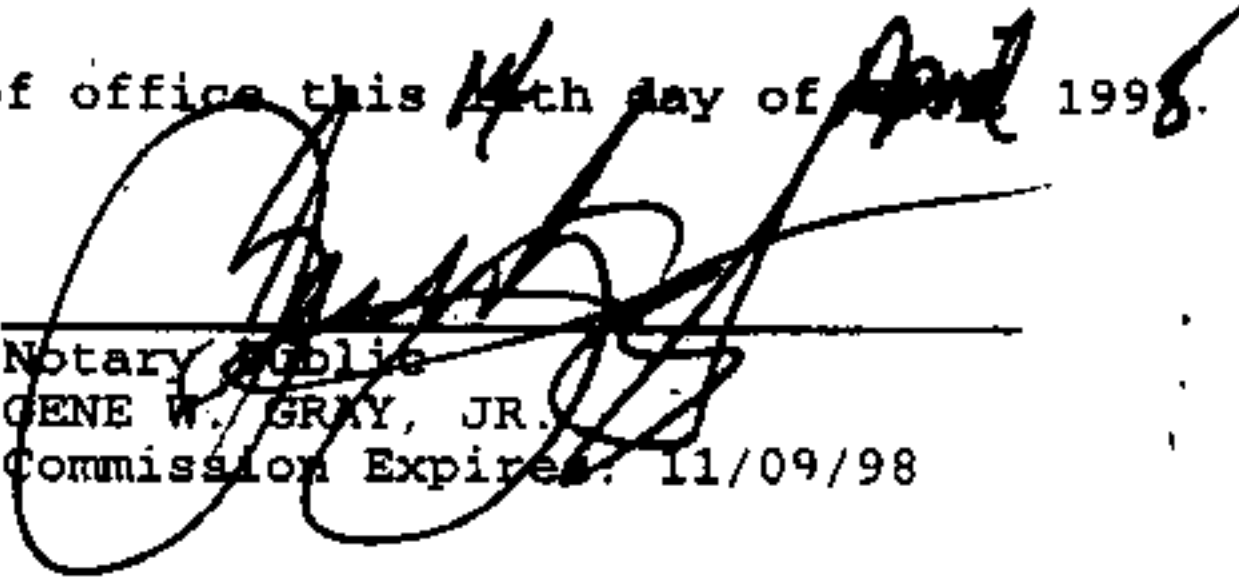
SHELBY COUNTY JUDGE OF PROBATE

003 CRH 313.50

Inst # 1998-32072

under Item Three (b) 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 this conveyance, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal of office this 14th day of April 1998.

  
Notary Public  
GENE W. GRAY, JR.  
Commission Expires: 11/09/98

STATE OF ALABAMA  
JEFFERSON COUNTY

I, the undersigned Notary Public in and for said County in said State, hereby certify that DOUGLAS C. DELL, whose name as SE. VICE PRESIDENT of SOUTHTRUST BANK ~~MEMPHIS~~, NATIONAL ASSOCIATION, in its capacity as Trustee of Trust B, created under Item Three (b) of the Will of Henry P. Johnston, and who is known to me acknowledged before me that, being informed of the contents of said conveyance, he/she, as such officer and with full authority, executed the same voluntarily for and as the act of SOUTHTRUST BANK OF ALABAMA, NATIONAL ASSOCIATION in its capacity as said Trustee for and as the act of said Trust.

Given under my hand and official seal of office this 14th day of April, 1998.

  
Notary Public  
Print Name: Kelly A. Maness  
Commission Expires: May 11, 1999

PREPARED BY:  
GENE W. GRAY, JR.  
2100 SOUTHBIDGE PARKWAY,  
SUITE 638  
BIRMINGHAM, AL 35209

SEND TAX NOTICE TO:  
Sunshine, L.L.C.

EXHIBIT "A" TO DEED FROM TRUSTEES OF HENRY P. JOHNSTON TO  
SUNSHINE, L.L.C.

## **OLD REPUBLIC NATIONAL TITLE INSURANCE CO**

Commitment

**SCHEDULE C**

(Revised)

**The land referred to in this Policy is described as follows:**

From the N. W. corner of Section 2, Township 21 South, Range 1 East; run thence East along the North boundary of said Section 2 a distance of 2655.85 feet; thence turn  $89^{\circ} 49' 26''$  right and run 33.39 feet to a point on the South boundary of Shelby County Highway #48 (60' R.O.W.) being the point of beginning of herein described parcel of land; thence continue along said course a distance of 1309.07 feet along a fence line to a rebar by a fence post; thence turn  $00^{\circ} 04' 49''$  left and run 1341.46 feet along a fence line to a rebar by a fence post being the accepted S.W. corner of said SW  $\frac{1}{4}$  - NE  $\frac{1}{4}$  of said Section 2; thence turn  $90^{\circ} 03' 38''$  left and run 1329.95 feet along a fence line to the accepted NW corner of said NE  $\frac{1}{4}$  - SE  $\frac{1}{4}$  of said Section 2; thence turn  $90^{\circ} 02' 26''$  right and run 1338.51 feet to the accepted S.W. corner of said NE  $\frac{1}{4}$  - SE  $\frac{1}{4}$  of said Section 2; thence turn  $89^{\circ} 48' 14''$  right and run 69.87 feet to a point in line with a fence being on the Northeasterly boundary of Old Roy Ray Road; thence turn  $81^{\circ} 18' 20''$  left and run 33.69 feet along said Northeasterly boundary of Old Roy Ray Road and the following courses;  $26^{\circ} 38' 44''$  left for 22.71 feet;  $08^{\circ} 43' 19''$  left for 49.41 feet;  $08^{\circ} 34' 14''$  left for 53.33 feet; thence  $08^{\circ} 57' 53''$  left for 290.17 feet; thence turn  $29^{\circ} 09' 18''$  right and run 24.41 feet along said Old Roy Ray Road to a rebar at a fence post; thence turn  $86^{\circ} 40' 51''$  left and run 175.52 feet along a fence line to a rebar at a fence post; thence turn  $74^{\circ} 28' 45''$  left and run 60.49 feet along a fence line to a rebar at a fence post; thence turn  $79^{\circ} 36' 17''$  right and run 198.18 feet along a fence line to a rebar at a fence post; thence turn  $81^{\circ} 35' 58''$  left and run 333.36 feet along a fence line to a rebar at a fence post; thence turn  $78^{\circ} 34' 25''$  right and run 394.87 feet; thence turn  $99^{\circ} 02' 32''$  right and run 513.65 feet to a point on the North boundary of Alabama Highway #25 (66' R.O.W.); thence turn  $101^{\circ} 22' 18''$  left and run 276.15 feet along said highway boundary; thence turn  $77^{\circ} 56' 37''$  left and run 781.03 feet to a rebar at a fence post; thence turn  $93^{\circ} 00' 03''$  right and run 89.07 feet along a fence line to a point on the true East boundary of the NE  $\frac{1}{4}$  - SE  $\frac{1}{4}$  of said Section 2, being 462.82 feet North of the S.E. corner of said NE  $\frac{1}{4}$  - SE  $\frac{1}{4}$ ; thence turn continue along said course a distance of 20.59 feet to a fence post; thence turn  $94^{\circ} 14' 29''$  left and run 833.17 feet along a fence line to a 2" pipe at a fence post; thence turn  $87^{\circ} 03' 14''$  left and run 1011.71 feet along a fence line to a bolt at a fence post; thence turn  $88^{\circ} 27' 43''$  right and run 1298.32 feet along a fence line to a bolt at a fence post; thence turn  $87^{\circ} 43' 06''$  left and run 414.15 feet along a fence line to a rebar in a Rock Pile at a fence post; thence turn  $87^{\circ} 29' 11''$  right and run 1333.21 feet along a fence line to a point on the South boundary of aforementioned Shelby County Highway #48; thence turn  $89^{\circ} 18' 57''$  left and run 1230.84 feet along said County Highway boundary to the point of beginning of herein described parcel of land.

Inst # 1998-32072

08/18/1998-32072  
Issuing Office File No. T-4260  
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SHELBY COUNTY JUDGE OF PROBATE  
Schedule C Page 1 313.50