

THIS INSTRUMENT PREPARED BY:

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Coales Branch, L.L.C.
c/o Mr. E. Todd Sharley, Jr.
2450 SouthTrust Tower
Birmingham, Alabama 35203

STATE OF ALABAMA)

SHELBY COUNTY)

**GENERAL
WARRANTY DEED**

KNOW ALL MEN BY THESE PRESENTS, that in consideration of ONE MILLION TWO HUNDRED FORTY-NINE THOUSAND TWO HUNDRED AND NO/100 DOLLARS (\$1,249,200.00) to the undersigned grantor, **GERALDINE P. MCLAIN**, a married person, hereinafter referred to as "Grantor", in hand paid by **COALES BRANCH, L.L.C.**, an Alabama limited liability company, hereinafter referred to as "Grantee", whether one or more, the receipt of which is hereby acknowledged, the Grantor does, by these presents, grant, bargain, sell and convey unto Grantee the following described real estate, situated in Shelby County, Alabama, together with all improvements and fixtures thereon and all easements and other appurtenances thereto together with all interest of Grantor in any land lying in or under the bed of any street, alley, road, right of way, stream or waterway abutting or immediately adjacent to the real estate and to any strips or gores, if any, between the real estate and abutting or immediately adjacent properties (the "Property"):

Property described on Exhibit A attached hereto and incorporated herein by reference.

[The entire purchase price is secured by two Mortgages filed concurrently herewith.]

No part of the Property is, or constitutes, homestead of Grantor or of Grantor's spouse.

SUBJECT TO:

1. Taxes and assessments for the year 1999 and subsequent years, which are not yet due and payable.
2. Less and except any part of the Property lying within the right-of-way of a public road.

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3. Coal, oil, gas and other mineral interests in, to or under the Property not owned by Grantor.
4. The rights of upstream and downstream riparian owners with respect to Grantee.
5. Easement to Plantation Pipeline appearing of record in Volume 306, Page 416 and Volume 252, Page 603 in the Probate Office of Shelby County, Alabama.
6. Easement to Pelham Water Works appearing of record in Volume 311, Page 635 and Volume 305, Page 466 in the Probate Office of Shelby County, Alabama.
7. Easement to City of Pelham appearing of record in Instrument No. 1994/5304 in the Probate Office of Shelby County, Alabama.
8. Easement to Alabama Gas Corporation appearing of record in Volume 305, Page 698 in the Probate Office of Shelby County, Alabama.
9. Right of way granted to Alabama Power Company by instrument recorded in Volume 229, Page 335 in the Probate Office of Shelby County, Alabama.
10. Right of way to Shelby County as set forth in Instrument No. 1998/50205, in the Probate Office of Shelby County, Alabama.

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

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

IN WITNESS WHEREOF, Grantor has hereunto set her hand and seal on this the 11th day of January, 1999.

GRANTOR:

Geraldine P. McLain

Geraldine P. McLain

STATE OF ALABAMA)

COUNTY OF JEFFERSON)

I, Peggy Marie Huckbay, a Notary Public in and for said County in said State, hereby certify that Geraldine P. McLain, whose name 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, she executed the same voluntarily.

Given under my hand this the 11th day of January, 1999.

NOTARIAL SEAL

Peggy Marie Huckbay
Notary Public
My commission expires: 11-20-2000

EXHIBIT A

PARCEL 1

Part of the South 1/2 of the Southeast 1/4 of Section 13 and part of the Northwest 1/4 of the Northeast 1/4 of Section 24 both in Township 20 South, Range 3 West, Shelby County, Alabama, being more particularly described as follows:

Beginning at an existing iron rebar being the locally accepted Southwest corner of the Southwest 1/4 of the Southeast 1/4 of said Section 13, run in a Southerly direction along the West line of the Northwest 1/4 of the Northeast 1/4 of said Section 24, for a distance of 680.28 feet; thence turn an angle to the left of $90^{\circ}54'52''$ and run in an Easterly direction for a distance of 41.68 feet; thence turn an angle to the left of $75^{\circ}54'48''$ and run in a Northeasterly direction for a distance of 2.51 feet to a point of beginning of a curve, said curve being concave in a Southeasterly direction and having a central angle of $50^{\circ}46'21''$ and a radius of 134.74 feet; thence turn an angle to the right and run in a Northeasterly direction along the arc of said curve for a distance of 119.40 feet to the point of ending of said curve; thence run in a Northeasterly direction along line tangent to the end of said curve for a distance of 247.29 feet to an existing iron rebar; thence turn an angle to the right of $25^{\circ}08'27''$ and run in an Easterly direction for a distance of 784.64 feet to an existing iron rebar being on the West right of way line of Interstate 65 Highway being on a curve, said curve being concave in an Easterly direction and having a central angle of $1^{\circ}38'40''$ and a radius of 5854.58 feet; thence turn an angle to the left ($85^{\circ}28'05''$ to the chord of said curve) and run in a Northerly direction along the West right of way line of said Interstate 65 Highway and along the arc of said curve for a distance of 168.02 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the left ($9^{\circ}41'36''$ from the chord of last mentioned curve) and run in a Northwesterly direction for a distance of 104.06 feet to an existing iron rebar set by Laurence D. Weygand and being on the West right of way line of Interstate 65 Highway and being on a curve, said curve being concave in an Easterly direction and having a central angle of $10^{\circ}59'24''$ and a radius of 5874.46 feet; thence turn angle to the right ($17^{\circ}00'31''$ to the chord of said curve) and run in a Northerly direction along the arc of said curve and along the West right of way line of said Interstate 65 Highway for a distance of 1126.79 feet to an existing concrete right of way monument; thence turn an angle to the right of $16^{\circ}59'$ from the chord of last mentioned curve and run in a Northeasterly direction along the West right of way line of said Interstate 65 Highway for a distance of

83.24 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the left of $117^{\circ}20'06''$ and run in a Westerly direction for a distance of 66.95 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the left of $91^{\circ}25'16''$ and run in a Southerly direction for a distance of 28.0 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the right of $103^{\circ}32'45''$ and run in a Northwesterly direction for a measured distance of 648.43 feet to an existing iron rebar set by Laurence D. Weygand being in the centerline of an existing creek; thence run in a Southeasterly; Southerly and Southwesterly direction meandering along the centerline of said creek for a distance of 1600 feet, more or less, to a point on the South line of the Southwest 1/4 of the Southeast 1/4 of said Section 13; thence turn an angle to the right and run in a Westerly direction along the South line of said Southwest 1/4 of Southeast 1/4 of said Section 13 for a distance of 68.52 feet, more or less, to the point of beginning.

PARCEL 2

A tract of land situated in Section 24, Township 20 South, Range 3 West, Shelby County, Alabama and more particularly described as follows:

Commence at the Northwest corner of the Northeast 1/4 of Section 24; thence run in a Southerly direction along the West line of said 1/4 section, a distance of 566 feet to the point of beginning in the center of Coales Branch; thence continue in a Southerly direction along said West line a distance of 115 feet; thence an angle left of $90^{\circ}54'52''$ and run in an Easterly direction along the South line of the Gene McLain Property a distance of 41.68 feet; thence an angle right of $104^{\circ}05'12''$ and run in a Southwesterly direction a distance of 362.79 feet to the beginning of a curve to the right, said curve having a radius of 289.62 feet and subtending a central angle of $21^{\circ}24'$; thence run in a Southwesterly direction along the arc of said curve a distance of 108.17 feet; thence on tangent to curve, continue in a Southwesterly direction a distance of 346.91 feet to the beginning of a curve to the right, said curve having a radius of 327.26 feet and subtending a central angle of $18^{\circ}48'$; thence run in a Southwesterly direction along the arc of said curve a distance of 107.38 feet; thence on tangent to curve continue in a Southwesterly direction a distance of 426.81 feet to the beginning of a curve to the left, said curve having a radius of 126.96 feet and subtending a central angle of $31^{\circ}23'16''$; thence run in a Southwesterly direction along the arc of said curve a distance of 69.55 feet to a point on the Northeasterly right of way line of Shelby County Highway No. 52; thence right and run in a Northwesterly direction along said right of way line a distance of 240 feet, more or less, to the center of Coales Branch; thence run in a Northeasterly direction along the centerline of and meanderings of Coales Branch as shown by traverse a distance of 2097 feet, more or less, to the point of beginning.

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01/12/1999-01566

12:22 PM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE
006 CRH 22.00