

SEND TAX NOTICE TO:

Clayton-Bailey Properties, L.L.C.  
102 Hilltop Business Drive, Suite A  
Pelham, Alabama 35124  
Attn: Mr. Neil Bailey

STATE OF ALABAMA )

SHELBY COUNTY )

**GENERAL WARRANTY DEED**

**THIS IS A GENERAL WARRANTY DEED** executed and delivered by **RONALD T. ACTON and wife, BRENDA SUE ACTON** (hereinafter referred to as the "Grantors"), to **CLAYTON-BAILEY PROPERTIES, L.L.C.**, an Alabama limited liability company (hereinafter referred to as the "Grantee").

**KNOW ALL MEN BY THESE PRESENTS:**

That in consideration of Ten and 00/100 Dollars (\$10.00) and other good and valuation consideration in hand paid by the Grantee to the Grantors, the receipt and sufficiency of which are hereby acknowledged by the Grantors, the Grantors do by these presents grant, bargain, sell and convey unto the Grantee the parcels of real estate located in Shelby County, Alabama, which are described on **Exhibit A** attached hereto (the "Property").

**TOGETHER WITH** all improvements thereon and appurtenances thereto belonging or in anywise appertaining, and all right, title and interest of Grantors in and to any and all roads, alleys and ways bounding the Property.

This conveyance is subject to ad valorem taxes for tax year 1999, and succeeding tax years, present zoning classification and to the various matters listed on **Exhibit B** attached hereto.

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

The Grantors, for themselves, and their heirs, executors, administrators and assigns, do hereby covenant and agree with the Grantee, its successors and assigns, that the Grantors are lawfully seized in fee simple of the Property, that the Property is free from all encumbrances unless otherwise noted above, that the Grantors have a good right to sell and convey the same as aforesaid, that the Grantors and the Grantors' heirs, executors, administrators and assigns shall warrant and defend the same to the Grantee, its successors and assigns forever, against the lawful claims of all persons not specifically excepted herein.

IN WITNESS WHEREOF, the Grantors have caused this General Warranty Deed to be executed and delivered as of September 28, 1999.

  
RONALD T. ACTON

  
BRENDA SUE ACTON

THE CONSIDERATION HEREOF WAS PAID FROM A MORTGAGE LOAN CLOSED SIMULTANEOUSLY HEREWITH.

Inst # 1999-41438

10/05/1999-41438  
09:58 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
005 SNA 19.00

STATE OF ALABAMA )

SHELBY COUNTY )

I, the undersigned Notary Public in and for said County, in said State, hereby certify that **RONALD T. ACTON and wife, BRENDA SUE ACTON**, whose names are signed to the foregoing instrument, and who are known to me, acknowledged before me on this day that, being informed of the contents of the instrument, they executed the same voluntarily.

Given under my hand and official seal, the 28th day of September, 1999.

*Catherine L. Weasley*

Notary Public

MY COMMISSION EXPIRES OCTOBER 24, 2001

My Commission Expires: \_\_\_\_\_

**EXHIBIT "A"**  
**Property Description**

Three parcels of land situated in the North 1/2 of the NE 1/4 of Section 28, Township 20 South, Range 3 West, Shelby County, Alabama, being more particularly described as follows:

**Parcel I**

Commence at a three inch capped iron at the SE corner of the NW 1/4 of the NE 1/4 of said Section, and run in a Westerly direction for a distance of 6.70 feet to an iron pin at the point of beginning; thence continue along last stated course for a distance of 285.16 feet to an iron pin set; thence turn an angle to the right of 102 deg. 03 min. 58 sec. and run in a Northeasterly direction for a distance of 209.36 feet to a point; thence turn an angle to the right of 90 deg. 00 min. 00 sec. and run in a Southeasterly direction 101.15 feet to a point; thence turn an angle to the left of 90 deg. 00 min. 00 sec. and run in a Northeasterly direction for 236.14 feet to a cross; thence turn an angle to the right of 77 deg. 56 min. 02 sec. and run in a Northeasterly direction for 161.18 feet to an iron set; thence turn an angle to the right of 99 deg. 19 min. 28 sec. and run in a Southwesterly direction for 420.07 feet to the point of beginning; being situated in Shelby County, Alabama.

**Parcel II**

A parcel of land situated in Section 28, Township 20 South, Range 3 West, described as follows:

Commence at a three inch capped iron at the SE corner of the NW 1/4 of the NE 1/4 of said Section, and run in a Westerly direction for a distance of 291.86 feet to an iron pin set at the point of beginning; thence continue along last stated course for a distance of 133.52 feet to an iron pin; thence turn an angle to the right of 101 deg. 49 min. 21 sec. and run in a Northeasterly direction for a distance of 320.74 feet to an iron pin; thence turn an angle to the right of 78 deg. 27 min. 05 sec. and run in an Easterly direction for 20.07 feet to an iron set; thence turn an angle to the left of 84 deg. 15 min. 36 sec. and run in a Northeasterly direction for a distance of 211.38 feet to an axle; thence turn an angle to the right of 84 deg. 01 min. 27 sec. and run in an Easterly direction for a distance of 209.99 feet to an iron set; thence turn an angle to the right of 95 deg. 58 min. 33 sec. and run in a Southwesterly direction for 110.00 feet to a spike; thence turn an angle to the left of 96 deg. 00 min. 50 sec. and run in a Northeasterly direction for a distance of 19.17 feet to a cross; thence turn an angle to the right of 102 deg. 03 min. 58 sec. and run in a Southwesterly direction for a distance of 236.14 feet to a point; thence turn an angle to the right of 90 deg. 00 min. 00 sec. and run in a Northwesterly direction for a distance of 101.15 feet to a point; thence turn an angle to the left of 90 deg. 00 min. 00 sec. and run in a Southwesterly direction for a distance of 209.36 feet to the point of beginning; being situated in Shelby County, Alabama.

ALSO, an easement 20 feet in width for the purpose of ingress and egress, along the South boundary line of the NW 1/4 of the NE 1/4 of Section 28, Township 20 South, Range 3 West, beginning at the SE corner of said 1/4 1/4 Section and running West to the East boundary line of above described lands.

**Parcel III**

Commence at a three inch capped iron at the SE corner of the NW 1/4 of the NE 1/4 of said Section, and run in a Westerly direction for a distance of 425.38 feet to a point; thence turn an angle to the right of 101 deg. 49 min. 21 sec. and run in a Northeasterly direction for a distance of 320.74 feet to an iron; thence turn an angle to the right of 78 deg. 27 min. 05 sec. and run in an Easterly direction for a distance of 20.07 feet to an iron

set; thence turn an angle to the left of 84 deg. 15 min. 36 sec. and run in a Northeasterly direction for a distance of 211.38 feet to the point of beginning; thence turn an angle to the left of 1 deg. 17 min. 15 sec. and run in a Northeasterly direction for a distance of 158.14 feet to an iron; thence turn an angle to the right of 85 deg. 06 min. 32 sec. and run in a Northeasterly direction for a distance of 210.47 feet to an iron; thence turn an angle to the right of 95 deg. 02 min. 39 sec. and run in a Southwesterly direction for a distance of 158.92 feet to an iron set; thence turn an angle to the right of 85 deg. 09 min. 31 sec. and run in Westerly direction for a distance of 209.99 feet to the point of beginning; being situated in Shelby County, Alabama.

**EXHIBIT "B"**  
**Permitted Encumbrances**

1. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto, including rights set out in Deed Book 43 page 315 in Probate Office. (Parcel II)
2. Transmission Line Permits(s) to Alabama Power Company as shown by instrument(s) recorded in Deed Book 130 page 164; Deed Book 216 page 608; Deed Book 232 page 348; Deed Book 241 page 349; Deed Book 232 page 381; Deed Book 241 page 392 and Deed Book 248 page 378 in Probate Office.
3. Subject to rights, if any, of others to use 20 foot easement described above in subject lands.
4. Fence North of South line and East of West line and West of East line and Asphalt Drive and Gravel Drive as shown on survey of Kenneth B. Weygand Reg. Eng. L. C. #11768 dated January 2, 1987.
5. Easement(s) to Plantation Pipe Line Company as shown by instrument recorded in Deed Book 179 page 277 and Deed Book 112 page 252 in Probate Office.
6. Rights of ways to Shelby County recorded in Deed Book 154 page 390; Deed Book 154 page 513 and Deed Book 154 page 518 in Probate Office.

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