

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was  
prepared by:

R. Shan Paden  
PADEN & PADEN  
Attorneys at Law  
5 Riverchase Ridge, Suite 100  
Birmingham, Alabama 35244

SEND TAX NOTICE TO:

BITUMINOUS CASUALTY CORPORATION  
320 - 18th Street  
Rock Island, IL 61201

STATE OF ALABAMA)

COUNTY OF SHELBY)

Inst. # 1999-41756  
10/07/1999-41756  
08:42 AM CERTIFIED  
SHELBY COUNTY CLERK OF PROBATE  
00:55:20 PM 2001-10-07

Inst. # 1999-41756

**WARRANTY DEED**

**Know All Men by These Presents:** That in consideration of TWO HUNDRED SIXTY EIGHT THOUSAND and 00/100 (\$268,000.00) DOLLARS to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, DONALD P. CONAUGHTY and LINDA A. CONAUGHTY, HUSBAND AND WIFE (herein referred to as GRANTORS) do grant, bargain, sell and convey unto BITUMINOUS CASUALTY CORPORATION, AN ILLINOIS CORPORATION, (herein referred to as GRANTEES, whether one or more) the following described real estate, situated in SHELBY County, Alabama, to-wit:

LOT 37, ACCORDING TO THE SURVEY OF SOUTHPOINTE 9<sup>TH</sup> SECTOR PHASE 1, AS RECORDED IN MAP BOOK 16, PAGE 80, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

SUBJECT TO:

1. TAXES FOR THE YEAR BEGINNING OCTOBER 1, 1998 WHICH CONSTITUTES A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 1999.
2. 30 FOOT BUILDING LINE, AS SHOWN BY RECORDED MAP.
3. RESTRICTIONS AS SHOWN BY RECORDED MAP.
4. MINERAL AND MINING RIGHTS AND RIGHTS INCIDENT THERETO AND RELEASE OF DAMAGES RECORDED IN REAL 379, PAGE 873, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
5. RESTRICTIONS APPEARING OF RECORD IN INSTRUMENT 1992-15653, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

**TO HAVE AND TO HOLD** Unto the said GRANTEES, 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, his, her, or 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, his, her, or their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said GRANTORS, DONALD P. CONAUGHTY and LINDA A. CONAUGHTY, HUSBAND AND WIFE, have hereunto set his, her or their signature(s) and seal(s), this the 23<sup>rd</sup> day of September, 1999.

Donald P. Conaughty  
DONALD P. CONAUGHTY

Linda A. Conaughty  
LINDA A. CONAUGHTY

STATE OF Georgia  
COUNTY OF CLAYTON

#### ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that DONALD P. CONAUGHTY, LINDA A. CONAUGHTY whose name(s) is (are) signed to the foregoing conveyance, and who is (are) known to me, acknowledged before me on this day that, being informed of the contents of the conveyance he, she, or they executed the same voluntarily on the day the same bears date.

Given under my hand this the 23 day of Sept, 1999

Dwight S. Fager  
Notary Public

My commission expires: 8-14-03

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SHELBY COUNTY JUDGE OF PROBATE  
002 MMS 279.00