

Send tax notice to:
H & E Wise, L.L.C.
4400 OLD BROOK RUN
BIRMINGHAM, ALABAMA 35243

This instrument prepared by:
Charles A. J. Beavers, Jr.
Bradley Arant Rose & White LLP
2001 Park Place, Suite 1400
Birmingham, Alabama 35203

Inst # 2000-00992

STATE OF ALABAMA)
:
SHELBY COUNTY)

DEED

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of the like-kind exchange of real properties, the receipt and sufficiency of which are hereby acknowledged, Hearthstone Properties, L.L.C., an Alabama limited liability company ("Grantor") does hereby grant, bargain, sell, and convey unto H & E Wise, L.L.C., a limited liability company ("Grantee"), subject to the matters hereinafter set forth, the following described real estate situated in Shelby County, Alabama, to-wit:

Part of the NW 1/4 of the SW 1/4, part of the SW 1/4 of the NW 1/4, and part of the SE 1/4 of the NW 1/4, all in Section 23, Township 18 South, Range 1 East, Shelby County, Alabama, described as follows:

Begin at the SW corner of the NW 1/4 of the SW 1/4 of said section; thence run along the section line north 00°33'10" East 2664.38 feet to the NW corner of the SW 1/4 of the NW 1/4 of said section; thence north 89°02'40" east 1248.60 feet to the south right-of-way of County Road 45; thence along said right-of-way on a curve to the left with a radius of 620.30 feet and a chord bearing south 50°53'30" east 98.39 feet for an arc distance of 98.49 feet to a point which is 49.3 feet south of the NW corner of said SE 1/4 of the NW 1/4; thence continue along said right-of-way on a curve to the left with a radius of 620.30 feet and a chord bearing south 74°59'40" east 205.90 feet for an arc distance of 206.86 feet; thence along said right-of-way south 84°33'00" east 252.41 feet; thence leaving said right-of-way run south 02°35'20" west 618.35 feet; thence south 00°16'50" west 587.19 feet to the south line of said SE 1/4 of the NW 1/4; thence along said line south 89°15'20" west 425.38 feet to the NE corner of said NW 1/4 of the SW 1/4; thence along the east line of said 1/4-1/4 section south 00°16'00" west 1337.00 feet to the SE corner of said 1/4-1/4 section; thence along the south line of said 1/4-1/4 section south 89°28'00" west 1347.95 feet to the point of beginning.

This Deed is executed as required by the Articles of Organization and Operating Agreement of Hearthstone Properties, L.L.C. and same have not been modified or amended.

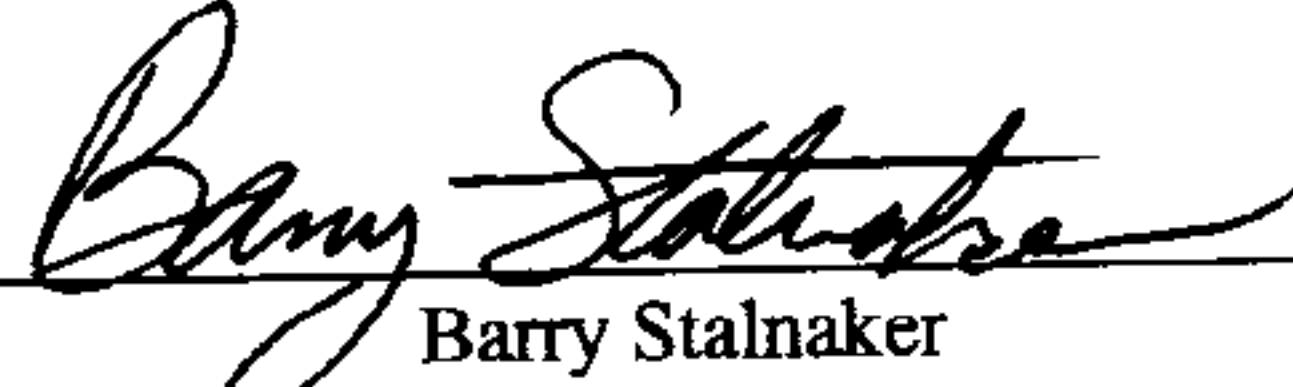
01/10/2000-00992
11:30 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 CJI 14.50

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

1. Ad valorem taxes for the 2000 tax year and thereafter
2. Easements, restrictions, reservations, rights-of-way, and other matters of record or which would be disclosed by an accurate survey or inspection of the subject property
3. Any mineral and mining rights which are not owned by Grantor
4. Any part of subject property lying within a roadway
5. Mineral and mining rights and rights incident thereto and release of damages recorded in Volume 266, page 459; Volume 248, page 249; Volume 243, page 372; Volume 265, page 334; Real 34, page 417, and Instrument 1998-22524 in the Probate Office of Shelby County, Alabama
6. Right-of-way to Champion International Corporation recorded in Real 34, page 417, in said Probate Office
7. Right-of-way to Southern Bell Telephone and Telegraph Company recorded in Real 360, page 952, in said Probate Office
8. Easement to Sterrett-Vandiver Water Systems, Inc. recorded in Real 299, page 259, in said Probate Office
9. Mineral and mining rights and rights incident thereto recorded in Real 142, page 662, in said Probate Office
10. Non-exclusive road right-of-way recorded in Real 142, page 662, in said Probate Office

IN WITNESS WHEREOF, Grantor has caused these presents to be executed for and on its behalf by its duly authorized representative on or as of the 5th day of January, 2000.

HEARTHSTONE PROPERTIES, L.L.C.

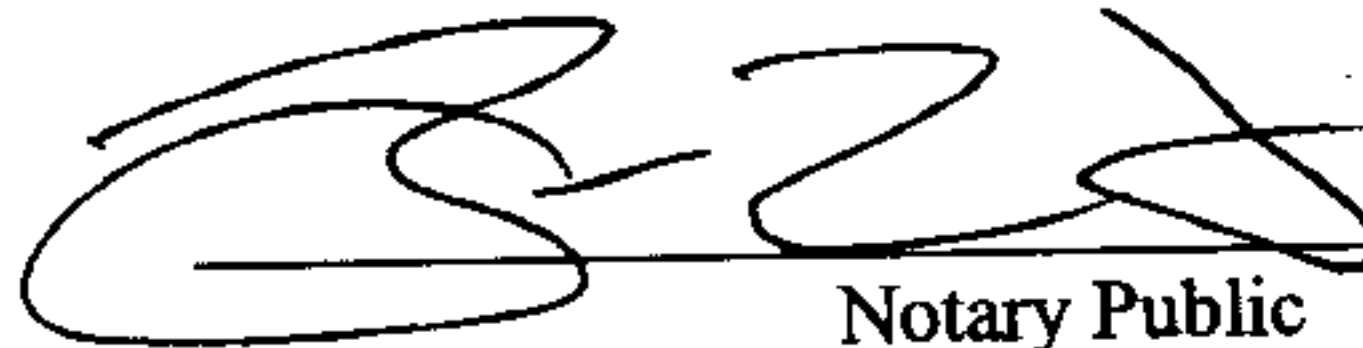
By: 
Barry Stalnaker
Its Authorized Member

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned, a notary public in and for said county in said state, hereby certify that **Barry Stalnaker**, whose name as Authorized Member of **Hearthstone Properties, L.L.C.**, an Alabama limited liability company, 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 Member and with full authority, executed the same voluntarily for and as the act of said company.

Given under my hand and official seal the 5th day of January, 2000.


Notary Public

[NOTARIAL SEAL]

My commission expires: 05/03/02

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