

✓ TOWN OF CHELSEA, ALABAMA
ANNEXATION ORDINANCE NO. X-00-03-07-112

PROPERTY OWNER(S): Equine Partners, L.L.C.

PROPERTY: A 10 foot wide strip only in Parcels #09-4-20-0-001-006.000,
#09-4-20-0-001-010.000 and #09-4-17-0-003-021.000

Inst # 2000-22515

Pursuant to the provisions of Section 11-42-21 of the Code of Alabama (1975),

Whereas, a written petition requesting that the above-noted property be annexed to the Town of Chelsea has been signed by the authorized representative of the corporate owner of said property; and

Whereas, said petition contains (as Exhibits A & B) an accurate description of said property together with a map of said property (Exhibit C) showing the relationship of said property to the corporate limits of Chelsea; and

Whereas, the petition has been filed with the clerk of the Town of Chelsea; and

Whereas, said property is contiguous to the corporate limits of Chelsea, or is a part of a group of properties submitted at the same time for annexation which together is contiguous to the corporate limits of Chelsea; and

Whereas, said territory does not lie within the corporate limits of any other municipality; provided, however, said property is situated within the Cahaba Valley Fire and Emergency Medical Rescue District ("CVFD"); and

Whereas, even though said property is located in an area where the police jurisdiction of Chelsea overlaps the police jurisdiction of Pelham and the police jurisdiction of Hoover,, the said property is closer to the corporate limits of Chelsea than to the corporate limits of either Pelham or Hoover.

Therefore, be it ordained that the town council of the Town of Chelsea assents to the said annexation: and

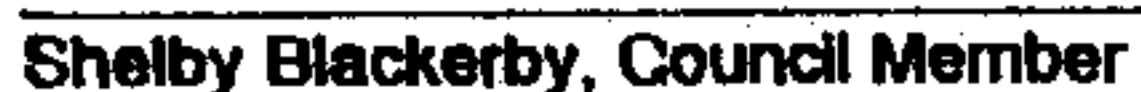
Be it further ordained that the corporate limits of Chelsea be extended and rearranged so as to embrace and include said property, and said property shall become a part of the corporate area of the Town of Chelsea upon the date of publication of this ordinance as required by law; provided, however, that CVFD shall exclusively provide fire and emergency medical rescue services to said property.


Earl Niven, Mayor


Robert Combs, Council Member


Glen Autry, Jr., Council Member


Eallene Isbell, Council Member


Shelby Blackerby, Council Member


John Ritchie, Council Member

Passed and approved 4 day of APRIL, 2000.


Robert A. Wanninger, Town Clerk

07/06/2000-22515
10:39 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
814 106 41.00

02-17-2000

Town Clerk
Town of Chelsea
P. O. Box 111
Chelsea, Alabama 35043

PETITION FOR ANNEXATION

The authorized representative(s) of the corporate owner of the property which is described in the attached exhibits and which either is contiguous to the corporate limits of the Town of Chelsea, or is a part of a group of properties which together are contiguous to the corporate limits of Chelsea, does hereby petition the Town of Chelsea to annex said property into the corporate limits of the municipality.

Done this 10th day of March, 2000.

Dana L. Heaton
Witness

Ecume Partners
Corporate Owner
Tyrol, Inc.
Michael D. Fuller
Authorized Representative

Michael D. Fuller
Representative Signature

850 Shades Creek Pky
Street Address

Birmingham, AL 35209
City, State, Zip

(205) 960-1304
Telephone no.

Authorized Representative

Representative Signature

Street Address

City, State, Zip

Telephone no.

Witness

**ANNEXATION ORDINANCE
EXHIBIT A**

PROPERTY OWNER(S): Equine Partners, L.L.C.

PROPERTY: A 10 foot wide strip only in Parcels #09-4-20-0-001-006.000,
#09-4-20-0-001-010.000 and #09-4-17-003-021.000

PROPERTY DESCRIPTION

The above-noted property, for which annexation into the Town of Chelsea is requested in this petition, is a 10 foot wide strip which begins in the southeast of the unincorporated portion of Parcel #09-4-20-0-001-006.000 where said strip connects to the part of said parcel already within the municipal limits of Chelsea. From this point, the said strip extends along, and adjacent to, the eastern boundaries of the three parcels listed above. The said strip ends at the northeast corner on Parcel #09-4-17-0-003-021.000.

The said 10 foot wide strip is shown in the indicated shaded area on the map attached hereto as Exhibit C. Said map also shows the contiguous relationship of said 10 foot wide strip of property to the corporate limits of Chelsea.

Confirmation of ownership of the three parcels shown above, of which the said 10 foot wide strip is a part, is given in the attached copies of four deeds which were recorded with the Shelby County judge of probate as follows:

Instrument Number 1998-17910, (Exhibit B, pages 1-6);
Instrument Number 1998-38416, (Exhibit B, page 7);
Instrument Number 1998-43166, (Exhibit B, page 8); and
Instrument Number 1998-43167, (Exhibit B, pages 9-10).

The said 10 foot wide strip does not lie within the corporate limits of any other municipality, but said strip is located in an area where the police jurisdiction of Chelsea overlaps with the police jurisdiction of Pelham and with the police jurisdiction of Hoover. However, said strip is closer to the corporate limits of Chelsea than to the corporate limits of either Pelham or Hoover pursuant to Section 11-42-21, Code of Alabama (1975). Said strip is situated within the Cahaba Valley Fire and Emergency Medical Rescue District ("CVFD") and said CVFD shall exclusively provide fire and emergency medical rescue service to said strip.

mof

Send Tax Notice to:
Equine Partners, L.L.C.
1000 Farmhouse Road
Birmingham, AL 35242

This instrument was prepared by

(Name) WALLACE, ELLIS, FOWLER & HEAD, ATTORNEYS AT LAW
(Address) COLUMBIANA, ALABAMA 35051

WARRANTY DEED

STATE OF ALABAMA)
SHELBY COUNTY) KNOW ALL MEN BY THESE PRESENTS.

That in consideration of TEN AND NO/100 (\$10.00) DOLLARS, and other good and valuable consideration, to the undersigned Grantors, in hand paid by the GRANTEE herein, the receipt whereof is acknowledged, we, Frank T. Pearce and wife, Shirley Pearce (herein referred to as Grantors) do grant, bargain, sell and convey unto Equine Partners, L.L.C. (herein referred to as GRANTEE), the following described real estate situated in Shelby County, Alabama, to-wit:

SEE EXHIBIT "A", ATTACHED HERETO AND MADE A PART AND PARCEL
HEREOF, AS MUCH AS IF FULLY SET FORTH HEREIN.

According to survey of Charles A. Williams, Ala. L.S. No. 14564, Paragon
Engineering, Inc., revised May 12, 1998.

SUBJECT TO:

1. Mineral and mining rights not owned by the Grantors; however, although the Grantors make no warranty of title as to the mineral and mining rights, they do convey herewith whatever mineral and mining rights they own.
2. General and special taxes or assessments for 1998 and subsequent years not yet due and payable.
3. Any loss, claim, damage or expense including additional tax due, if any, due to the fact that ad valorem taxes for subject property have been paid under a current use assessment. (See 1975 Code of Alabama Section 40-7-25.3).
4. Transmission Line Permit(s) to Alabama Power Company as shown by instrument(s) recorded in Deed Book 103 page 154; Deed Book 123 page 420 and Deed Book 102 page 181 in Probate Office.
5. Right(s)-of-Way(s) granted to Shelby County by instrument(s) recorded in Deed Book 95 pages 515 and 535 in Probate Office and as shown on the survey by Paragon Engineering, Inc., revised May 12, 1998.
6. Right(s)-of-Way(s) granted to State of Alabama by instrument(s) recorded in Deed Book 296 page 441 in Probate Office and as shown on the survey survey by Paragon Engineering, Inc., revised May 12, 1998.
7. Right(s)-of-Way(s) granted to South Central Bell by instrument(s) recorded in Deed Book 324 page 840 and Deed Book 321 page 610 in Probate Office and as shown on the survey by Paragon Engineering, Inc., revised May 12, 1998.

The full purchase price is paid from a purchase money mortgage with Compass Bank, dated May 14, 1998, which is being recorded simultaneously herewith.

TO HAVE AND TO HOLD to the said GRANTEE, its successors and assigns forever.

05/15/1998-17910
10:53 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
006 REC 22.00

Deed for Parcel #09-4-20-0-001-006.000

And we do for ourselves and for our heirs, executors, and administrators covenant with the said Grantee, its successors and assigns, that we are lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that we have a good right to sell and convey the same as aforesaid; that we will and our heirs, executors and administrators shall warrant and defend the same to the said Grantee, its successors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this 15 day of May, 1998.

Frank T. Pearce
Frank T. Pearce

Shirley Pearce
Shirley Pearce

STATE OF ALABAMA
COUNTY OF SHELBY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Frank T. Pearce and Shirley Pearce, whose names are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 15 day of May, 1998.

Lance Brader
Notary Public

Deed EXHIBIT A

PARCEL 1

STATE OF ALABAMA
SHELBY COUNTY

A parcel of land situated in Section 20, Township 19 South, Range 1 West, being more particularly described as follows:

BEGIN at a Paragon Engineering, Inc. iron and cap found at the Southwest corner of the Northwest 1/4 of the Southwest 1/4 of said Section 20; thence run in a Northerly direction along the West line of said Section on a bearing of N 00°16'29" W a distance of 1343.85 feet to a found Paragon Engineering, Inc. rebar and cap at the Northwest corner of said 1/4-1/4 Section; thence turn an angle to the right and run in an Easterly direction along the North line of the Southwest 1/4 of said Section 20 on a bearing of N 89°16'06" E a distance of 2633.78 feet to the Northeast corner of said Southwest 1/4; thence turn an angle to the left and run in a Northerly direction along the West line of the Southwest 1/4 of the Northeast 1/4 of said Section 20 on a bearing of N 00°17'11" W a distance of 1330.88 feet to the Northwest corner of said 1/4-1/4; thence turn an angle to the right and run in an Easterly direction along the North line of said 1/4-1/4 on a bearing of N 89°32'53" E a distance of 679.11 feet to the Westerly right-of-way line of Old Hwy. 280; thence turn an angle to the right and run in a Southeasterly direction along said right-of-way on a bearing of S 41°19'48" E a distance of 164.93 feet to a point, said point being the beginning of a curve to the right; thence continue along said right-of-way and along the arc of said curve, having a radius of 534.98 feet, a central angle of 47°22'00", an arc length of 442.27 feet with a chord bearing of S 17°38'48" E to a point; thence continue tangent to last described curve in a Southerly direction along said right-of-way on a bearing of S 06°02'12" E a distance of 66.50 feet to a point, said point being at the beginning of a curve to the left; thence continue along said right-of-way and along the arc of said curve, said curve having a radius of 399.26 feet, a central angle of 74°01'00", an arc length of 515.78 feet, a chord bearing of S 30°58'18" E to a point; thence continue tangent to last described curve along said right-of-way in a Southeasterly direction a bearing of S 67°58'48" E a distance of 102.50 feet to a point, said point being the beginning of a curve to the right; thence continue along the arc of said curve in a Southeasterly direction along said right-of-way, said curve having a radius of 915.10 feet, a central angle of 5°25'06", an arc length of 86.54 feet, and a chord bearing of S 65°16'15" E to a point on the East line of the Southwest 1/4 of the Northeast 1/4 of said Section; thence turn an angle to the right and run in a Southerly direction along the East line of said Southwest 1/4 of the Northeast 1/4 on a bearing of S 00°17'33" E a distance of 233.00 feet to the Southeast corner of said 1/4-1/4; thence turn an angle to the left and run in an Easterly direction along the South line of the Southeast 1/4 of the Northeast 1/4 of said Section 20 on a bearing of N 89°16'06" E a distance of 282.70 feet to a point, said point being on the Westerly right-of-way of said Old Hwy. 280, said point also being on a curve to the right; thence run along said right-of-way and along the arc of said curve, said curve having a radius of 915.10 feet, a central angle of 8°05'34", an arc length of 129.25 feet, and a chord bearing of S 35°30'35" E to a point; thence continue tangent to the last described curve in a Southeasterly direction along said right-of-way on a bearing of S 31°27'48" E a distance of 816.70 feet to a point, said point being the beginning of a curve to the right; thence continue along said right-of-way and along the arc of said curve, having a radius of 676.70 feet, a central angle of 19°19'07", an arc length of 228.17 feet, on a chord bearing of S 21°48'15" E to a point; thence turn an angle to the right and run in a Southwesterly direction on a bearing of S 37°31'30" W a distance of 330.04 feet

Signed for Identification:

Frank T. Pearce
Frank T. Pearce
Shirley Pearce
Shirley Pearce

to a point; thence turn an angle to the left and run in a Southwesterly direction on a bearing of S 33°51'13" W a distance of 105.20 feet to a point; thence turn an angle to the left and run in a Southwesterly direction on a bearing of S 30°41'09" W a distance of 323.03 feet to a point; thence turn an angle to the left and run in a Southeasterly direction on a bearing of S 60°03'35" E a distance of 264.00 feet to a point, said point being on the westerly right-of-way of Old Hwy. 280; thence turn an angle to the right and run in a Southwesterly direction along said right-of-way on a bearing of S 28°22'12" W a distance of 841.99 feet to a point, said point being on the South line of said Section 20; thence turn an angle to the right and run in a Westerly direction along said South line, on a bearing of S 88°42'32" W a distance of 1492.34 feet to a point, said point being the Southwest corner of the Southwest 1/4 of the Southeast 1/4 of said Section 20; thence turn an angle to the right and run in a Northerly direction along the West line of said 1/4-1/4 Section on a bearing of N 00°17'11" W a distance of 1330.88 feet to a point, said point being the Northwest corner of said 1/4-1/4 Section; thence turn an angle to the left and run in a Westerly direction along the South line of the Northeast 1/4 of the Southwest 1/4 and the Northwest 1/4 of the Southwest 1/4 on a bearing of S 88°59'19" W a distance of 2315.85 feet to a point; thence turn an angle to the left and run in a Southwesterly direction on a bearing of S 55°20'53" W a distance of 409.91 feet to a point on the West line of said Section 20; thence turn an angle to the right and run in a Northerly direction on a bearing of N 00°16'29" W a distance of 227.09 feet to the POINT OF BEGINNING; containing 225.5234 acres, more or less.

SIGNED FOR IDENTIFICATION:

Frank T. Pearce
Frank T. Pearce
Shirley Pearce
Shirley Pearce



PARCEL 2

STATE OF ALABAMA
SHELBY COUNTY

A parcel of land situated in the Southwest 1/4 of the Northeast 1/4 of Section 20, Township 19 South, Range 1 West, being more particularly described as follows:

Commence at the Northwest corner of said Southwest 1/4 of the Northeast 1/4 of said Section 20; thence run in an Easterly direction on a bearing of N 82° 28' 52" E a distance of 184.92 feet to the POINT OF BEGINNING of the parcel herein described, said point also being on the Easterly right-of-way of Old Hwy. 280; thence continue along said North line in the same direction as last described course on a bearing of N 89° 32' 53" E a distance of 191.23 feet to a point, said point being on the Westerly right-of-way of new U.S. Hwy. 280; thence turn an angle to the right and run in a Southeasterly direction along said right-of-way on a bearing of S 31° 35' 26" E a distance of 674.84 feet to a point, said point being on the East line of the Southwest 1/4 of the Northeast 1/4 of said Section 20; thence turn an angle to the right and run in a Southerly direction along said East line on a bearing of S 00° 17' 33" E a distance of 424.39 feet to a point, said point being on the Northeasterly right-of-way of Old Hwy. 280, said point also being on a curve to the left; thence turn an angle to the right and run along said right-of-way and along the arc of said curve, having a radius of 995.10 feet, a central angle of 03° 01' 21", an arc length of 52.49 feet, and a chord bearing of N 66° 28' 08" W to a point; thence continue tangent to last described curve in a Northwesterly direction and along said right-of-way on a bearing of N 67° 58' 48" W a distance of 102.50 feet to a point, said point being on a curve to the right; thence continue along said right-of-way and along the arc of said curve, having a radius of 319.26 feet, a central angle of 74° 01' 00", an arc length of 412.43 feet, and a chord bearing of N 30° 58' 18" W to a point; thence continue tangent to last described curve and along said right-of-way in a Northeasterly direction on a bearing of N 06° 02' 12" E a distance of 66.50 feet to a point, said point being the beginning of a curve to the left; thence continue along said right-of-way and along the arc of said curve, having a radius of 614.98 feet, a central angle of 47° 22' 00", an arc length of 508.41 feet and a chord bearing of N 17° 38' 48" W; thence continue tangent to last described curve and along said right-of-way in a Northwesterly direction on a bearing of N 41° 19' 48" W a distance of 95.68 feet to the POINT OF BEGINNING; said parcel containing 5.3433 acres, more or less.

SIGNED FOR IDENTIFICATION:


FRANK T. PEARCE

SHIRLEY PEARCE

LESS AND EXCEPT THE FOLLOWING:

SUB-PARCEL 1-D

STATE OF ALABAMA
SHELBY COUNTY

A parcel of land situated in the Southeast 1/4 of the Southeast 1/4 of Section 20, Township 19 South, Range 1 West, being more particularly described as follows:

Commence at the Southwest corner of the Southwest 1/4 of the Southeast 1/4 of said Section 20; thence run in an Easterly direction along the South line of said Section 368°42'32"W a distance of 1482.94 feet to a point on the Westerly right-of-way of Old Hwy. 280; thence turn an angle to the left and run in a Northeasterly direction along said right-of-way on a bearing of N 28°22'12" E a distance of 541.99 feet to the POINT OF BEGINNING of the parcel herein described; thence continue on the same bearing of the last described course along said right-of-way in a Northeasterly direction a distance of 300.00 feet; thence turn an angle to the left and run in a Northwesterly direction on a bearing of N 40°03'35" W a distance of 300.00 feet to a point; thence turn an angle to the left and run in a Southwesterly direction on a bearing of S 31°15'15" W a distance of 375.00 feet to a point; thence turn an angle to the left and run in a Southeasterly direction on a bearing of S 54°46'57" E a distance of 300.00 feet to the POINT OF BEGINNING; said parcel containing 2.2489 acres, more or less.

SIGNED FOR IDENTIFICATION:

Frank T. Pearce
Frank T. Pearce
Shirley Pearce
Shirley Pearce

05/15/1992-17910
10:35 AM CERTIFIED

Inst # 1998-17910

This instrument was prepared by:
Clayton T. Sweeney, Attorney
2700 Hwy. 280E, Suite 290E
Birmingham, AL 35223

SEND TAX NOTICE TO:
EQUINE PARTNERS, L.L.C.
#1, Shades Creek Parkway
Birmingham, Alabama
35209

STATE OF ALABAMA
SHELBY COUNTY

KNOW ALL MEN BY THESE PRESENTS, That in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATIONS (\$10.00) to the undersigned grantor or grantors, Harry W. Pearce and with Louise Pearce, (herein referred to as Grantors, whether one or more), in hand paid by the GRANTEE herein, the receipt of which is hereby acknowledged, the said GRANTORS do grant, bargain, sell, and convey unto EQUINE PARTNERS, L.L.C. (herein referred to as GRANTEE, whether one or more), the following described real estate, situated in SHELBY County, Alabama:

The NW 1/4 of Section 20, Township 19 South, Range 1 West, LESS AND EXCEPT a 300 foot by 300 foot parcel heretofore conveyed to Garry W. Pearce and Priscilla W. Pearce as recorded in Deed Book 319 page 901, Probate Office of Shelby County, Alabama.

Subject to:

1. Ad valorem taxes for 1999 and subsequent years not yet due and payable until October 1, 1999.
2. Transmission Line Permit(s) to Alabama Power Company as shown by instrument(s) recorded in Deed Book 109 page 70 and Deed Book 145 page 22 in Probate Office of Shelby County, Alabama.
3. Right(s)-of-Way(s) granted to Shelby County by instrument(s) recorded in Deed Book 95 pages 515, 535 and 503 in Probate Office of Shelby County, Alabama.
4. Right(s)-of-Way(s) granted to State of Alabama by instrument(s) recorded in Deed Book 296 page 180 in Probate Office of Shelby County, Alabama.
5. Easement(s) to South Central Bell as shown by instrument recorded in Deed Book 324 page 840 in Probate Office of Shelby County, Alabama.

\$ ALL of the purchase price recited above was paid from a mortgage loan closed simultaneously herewith.

TO HAVE AND TO HOLD Unto the said GRANTEE 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 said GRANTEE 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, and that I/we will and my/our heirs, executors and administrators shall warrant and defend the same to the said GRANTEE, their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, I/we have hereto set my/our hand(s) and seal(s), this the 1st day of October, 1998.


Harry W. Pearce


Louise Pearce, by Harry W. Pearce,
Attorney in Fact


Clayton T. Sweeney, Attorney

Inst # 1998-43166

11/03/1998-43166
08:34 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
DE CH 12.00

Inst # 1998-38416

10/22/1998-38416
08:37 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
DE CH 12.00

Deed for most of Parcel #09-4-20-0-001-010.000

CANASA Title

This instrument was prepared by:
Clayton T. Sweeney, Attorney
2700 Hwy. 280E, Suite 290E
Birmingham, AL 35223

SEND TAX NOTICE TO:
EQUINE PARTNERS, L.L.C.
#1 Shades Creek Parkway
Birmingham, Alabama
35209

STATE OF ALABAMA)
SHELBY COUNTY)

Warranty Deed

KNOW ALL MEN BY THESE PRESENTS, That in consideration of THREE HUNDRED THOUSAND Dollars (\$300,000.00) to the undersigned grantor or grantors, Harry W. Pearce and wife Louise Pearce, (herein referred to as Grantors, whether one or more), in full paid by the GRANTEE herein, the receipt of which is hereby acknowledged, the said GRANTORS do grant, bargain, sell, and convey unto EQUINE PARTNERS, L.L.C. (herein referred to as GRANTEE, whether one or more), the following described real estate, situated in SHELBY County, Alabama:

The NW 1/4 of NE 1/4 of Section 20, Township 19 South, Range 1 West, lying West of New Interstate U.S. 280 Highway right of way, LESS AND EXCEPT Old U.S. Highway 280 right of way; being situated in Shelby County, Alabama.

A parcel of land described as being all of the South 760 feet of the SE 1/4 of the SW 1/4 lying West of the Florida Short Route Right of Way as it existed on or about October 24, 1938, and also all of the SW 1/4 of the SE 1/4 lying West of such highway right of way, all in Section 17, Township 19 South, Range 1 West, Shelby County, Alabama.

Together with the fee simple title to that certain 20 foot access easement to Garry and Priscilla Pearce as set out in instrument recorded in Deed Book 319 page 901 and Inst. #1996-20203, in the Probate Office of Shelby County, Alabama.

Subject to:

1. Ad valorem taxes for 1999 and subsequent years not yet due and payable until October 1, 1999.
2. Transmission Line Permit(s) to Alabama Power Company as shown by instrument(s) recorded in Deed Book 109 page 70 and Deed Book 145 page 22 in Probate Office of Shelby County, Alabama.
3. Right(s)-of-Way(s) granted to Shelby County by instrument(s) recorded in Deed Book 95 pages 515, 535 and 503 in Probate Office of Shelby County, Alabama.
4. Right(s)-of-Way(s) granted to State of Alabama by instrument(s) recorded in Deed Book 296 page 180 in Probate Office of Shelby County, Alabama.
5. Easement(s) to South Central Bell as shown by instrument recorded in Deed Book 324 page 840 in Probate Office of Shelby County, Alabama.

\$ ALL of the purchase price recited above was paid from a mortgage loan closed simultaneously herewith.

TO HAVE AND TO HOLD unto the said GRANTEE 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 said GRANTEE their heirs and assigns, that I say/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, and that I/we will and my/our heirs, executors and administrators shall warrant and defend the same to the said GRANTEE, their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, I/we have hereto set my/our hand(s) and seal(s), this the 1st day of October, 1998.

See Inst. #1998-38419

11/03/1998-43167
08:34 AM CERTIFIED
SHELBY COUNTY JUNE 15 1999
12:00

Harry W. Pearce
Harry W. Pearce
Louise Pearce
Louise Pearce, by Harry W. Pearce,
Attorney in Fact
Clayton T. Sweeney
Attorney in Fact

Deed for Parcel #09-4-17-0-003-021.000 and for the
Remainder of Parcel #09-4-20-0-001-010.000

Inst. # 1998-43167

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Harry W. Pearce, whose name 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 the conveyance, he, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this the 1st day of October, 1998.

Mary Crawford
Notary Public

My Commission Expires: *7/22/02*
5/27/99

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public, in and for said county and in said state, hereby certify that Harry W. Pearce, whose name as Attorney in Fact for Louise Pearce, under that certain Durable Power of Attorney recorded on *10/02/98* in Instrument # *1998-38415*, in the Probate Office of Shelby County, Alabama, 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, in his capacity as such Attorney in Fact, executed the same voluntarily on the day the same bears date.

Given under my hand and seal of office this the 1st day of October, 1998.

Mary Crawford
Notary Public

My Commission Expires: *7/22/02*
5/27/99

Inst # 1998-43167
11/02/1998-43167
08:34 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
ONE CM 12.00

This instrument was prepared by:
Clayton T. Sweeney, Attorney
2700 Hwy. 280E, Suite 290E
Birmingham, AL 35223

SEND TAX NOTICE TO:
EQUINE PARTNERS, L.L.C.
#1, Shades Creek Parkway
Birmingham, Alabama
35209

STATE OF ALABAMA
SHELBY COUNTY

Warranty Deed

KNOW ALL MEN BY THESE PRESENTS, That in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATIONS (\$10.00) to the undersigned grantor or grantors, Harry W. Pearce and wife Louise Pearce, (herein referred to as Grantors, whether one or more), in hand paid by the GRANTEE hereinafter named, the receipt of which is hereby acknowledged, the said GRANTORS do grant, bargain, sell, and convey unto EQUINE PARTNERS, L.L.C. (herein referred to as GRANTEE, whether one or more), the following described real estate, situated in SHELBY County, Alabama:

The NW 1/4 of Section 20, Township 19 South, Range 1 West, LESS AND EXCEPT a 300 foot by 300 foot parcel heretofore conveyed to Garry W. Pearce and Priscilla W. Pearce as recorded in Deed Book 319 page 901, Probate Office of Shelby County, Alabama.

- Subject to:
1. Ad valorem taxes for 1999 and subsequent years not yet due and payable until October 1, 1999.
 2. Transmission Line Permit(s) to Alabama Power Company as shown by instrument(s) recorded in Deed Book 109 page 70 and Deed Book 145 page 22 in Probate Office of Shelby County, Alabama.
 3. Right(s)-of-Way(s) granted to Shelby County by instrument(s) recorded in Deed Book 95 pages 515, 535 and 503 in Probate Office of Shelby County, Alabama.
 4. Right(s)-of-Way(s) granted to State of Alabama by instrument(s) recorded in Deed Book 296 page 180 in Probate Office of Shelby County, Alabama.
 5. Easement(s) to South Central Bell as shown by instrument recorded in Deed Book 324 page 840 in Probate Office of Shelby County, Alabama.

\$ ALL of the purchase price recited above was paid from a mortgage loan closed simultaneously herewith.

TO HAVE AND TO HOLD unto the said GRANTEE 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 said GRANTEE 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, and that I/we will and my/our heirs, executors and administrators shall warrant and defend the same to the said GRANTEE, their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, I/we have hereto set my/our hand(s) and seal(s), this the 1st day of October, 1998.

Harry W. Pearce
Harry W. Pearce

Louise Pearce
Louise Pearce, by Harry W. Pearce,
Attorney in Fact

By Harry W. Pearce
Attorney in Fact

Clayton T. Sweeney

1998-38416
10/02/1998-38416
08:37 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 CRN 12.00

Deed for most of Parcel #09-4-20-0-001-010.000

**Ten foot wide strip proposed for annexation into Chelsea
(Not Shown to Scale)**

Town of Chelsea

Part of Map #58-09-04

