

Send Tax Notice To: Sher-Wil, Inc.
c/o Steven A. Brickman, Esq.
Post Office Box 55727
Birmingham, Alabama 35256-5727

Inst # 2001-30227

STATE OF ALABAMA)
SHELBY COUNTY)

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS: That in consideration of the sum of SIX HUNDRED FIFTY THOUSAND AND 00/100 (\$ 650,000.00) DOLLARS, in cash, to the undersigned Grantor, in hand paid by the Grantee herein, the receipt whereof is hereby acknowledged, I, SHERMAN HOLLAND, JR., herein referred to as Grantor, do hereby grant, bargain, sell and convey unto SHER-WIL, INC., (herein referred to as Grantee), the following described real property situated in Shelby County, Alabama, to-wit:

SEE EXHIBIT A, HERETO ATTACHED AND MADE A PART HEREOF THE SAME AS IF FULLY SET OUT HEREIN FOR A COMPLETE DESCRIPTION OF THE REAL ESTATE HEREBY CONVEYED.

THE PROPERTY HEREIN CONVEYED IS NOT NOW, NOR HAS IT EVER BEEN THE HOMESTEAD PROPERTY OF THE GRANTOR, HIS SPOUSE OR ANY MEMBER OF HIS FAMILY.

TO HAVE AND TO HOLD Unto the said Grantee, its successors and assigns forever.

And I do for myself and for my heirs, executors and administrators covenant with the Grantee, its successors and assigns, that I am lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that I have a good right to sell and convey the same as aforesaid; that I will and my 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, I have hereunto set my hand and seal, this 20th day of July, 2001.

 (SEAL)
Sherman Holland, Jr.

STATE OF ALABAMA)
SHELBY COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Sherman Holland, Jr. whose name is signed to the foregoing conveyance, and who is known to me

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SHELBY COUNTY JUDGE OF PROBATE
003 MSB 667.00


MTA

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 20th day of July, 2001.

MY COMMISSION EXPIRES:

7/31/02


Notary Public

This instrument was prepared by:

John Burdette Bates, Attorney at Law
#10 Office Park Circle, Suite 122
Birmingham, Alabama 35223

EXHIBIT "A"

A parcel of land located in the Northwest Quarter of the Southwest Quarter of Section 24, Township 20 South, Range 3 West, and being more particularly described as follows:

Commence at the Northwest corner of said Northwest Quarter of the Southwest Quarter; thence run South 84 degrees 18 minutes 45 seconds East and along the North boundary of said Quarter-Quarter 191.88 feet to a 1/2 inch capped rebar found at the point of beginning, said point being on the East right of way of the L & N Railroad; thence continue South 84 degrees 18 minutes 45 seconds East along said North boundary 384.69 feet to a 1/2 inch capped rebar set on the West margin of a 30 foot easement; thence run South 14 degrees 09 minutes 50 seconds West along said West margin 206.39 feet to a 1/2 inch capped rebar found; thence run North 84 degrees 18 minutes 16 seconds West 346.40 feet to a 1/2 inch capped rebar set on the East right of way of said L & N Railroad; thence run North 3 degrees 28 minutes 47 seconds East along said right of way 204.24 feet to the point of beginning.

ALSO:

Perpetual non exclusive 30 foot easements for ingress and egress over and across and to access, install and maintain utilities over, under and across a part of the Northwest Quarter of the Southwest Quarter of Section 24, Township 20 South, Range 3 West, and being more particularly described as follows:

ACCESS EASEMENT 1:

Commence at the Northwest corner of said Northwest Quarter of the Southwest Quarter; thence run South 84 degrees 18 minutes 45 seconds East and along the North boundary of said Quarter-Quarter 576.57 feet to the point of beginning; thence run South 14 degrees 09 minutes 50 seconds West 334.82 feet; thence run South 84 degrees 15 minutes 46 seconds East 30.30 feet to a point on the West right of way of U. S. Highway 31; thence run North 14 degrees 09 minutes 58 seconds East along said West right of way 334.85 feet to a point on the North boundary of said Quarter-Quarter; thence run North 84 degrees 18 minutes 45 seconds West and along said North boundary 30.31 feet to the point of beginning.

ACCESS EASEMENT 1-A:

Commence at the Northwest corner of said Northwest Quarter of the Southwest Quarter; thence run South 84 degrees 18 minutes 45 seconds East and along the North boundary of said Quarter-Quarter 576.57 feet to the point of beginning; thence South 14 degrees 09 minutes 50 seconds West 206.39 feet; thence run South 84 degrees 18 minutes 16 seconds East 30.31 feet to a point on the West right of way of U. S. Highway 31; thence run North 14 degrees 09 minutes 58 seconds East along said West right of way 206.40 feet to a point on the North boundary of said Quarter-Quarter; thence run North 84 degrees 18 minutes 45 seconds West and along said North boundary 30.31 feet to the point of beginning.

GRANTOR, HIS SUCCESSORS AND ASSIGNS, HEREIN RESERVE THE RIGHT, IN PERPETUITY, TO COME OVER, ACROSS AND ALONG, WITHOUT RESTRICTION OF ANY KIND, ANY EASEMENT GRANTED HEREIN. FURTHER, GRANTOR IS RELIEVED OF ANY MAINTENANCE EXPENSE, IN PERPETUITY, ON ANY OF THE PROPERTY GRANTED AS AN EASEMENT HEREIN AND GRANTEE ASSUMES THE EXPENSE OF ANY NECESSARY MAINTENANCE, IN PERPETUITY, ON ANY OF THE PROPERTY GRANTED HEREIN AS AN EASEMENT. GRANTOR WILL TAKE NO ACTION REGARDING THE EASEMENT AREA WHICH WILL ADVERSELY AFFECT THE RIGHTS GRANTED TO THE GRANTEE HEREIN.

Subject to: 1. Taxes for 2001 and subsequent years. 2001 ad valorem taxes are a lien but not due and payable until October 1, 2001. 2. Easement to South Central Bell as recorded in Deed Book 309, Page 337. 3. Title to minerals underlying the above described lands with mining rights and privileges belonging thereto. 4. Easements to City of Pelham as recorded in Deed Book 337, Page 525; Instrument No. 1999-18787 and Instrument No. 1999-18797. 5. Sanitary sewer and manholes over the West side of caption lands as shown on survey of John Michael Hicks, RLS #15714, dated May 11, 2001. 6. Rights of other parties to the use of the easements described herein.

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