

This instrument was prepared by:  
Linda J. Peacock, Esq.  
Gordon, Silberman, Wiggins & Childs, P.C.  
1400 SouthTrust Tower  
Birmingham, Alabama 35203

Inst. # 2002-000003  
01/02/2002-000003  
08:14 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
24.00  
005 CH

STATUTORY WARRANTY DEED

The purchase price of the land conveyed hereby was paid from the proceeds of a mortgage loan closed simultaneously herewith.

STATE OF ALABAMA            )  
  )        KNOW ALL PERSONS BY THESE PRESENTS:  
COUNTY OF SHELBY         )

That in consideration of one hundred and 00/100 Dollars (\$100.00) to the undersigned Grantor, **LAFARGE BUILDING MATERIALS INC.**, successor in interest to Blue Circle Inc. (hereinafter referred to as GRANTOR), in hand paid by the GRANTEE herein, the receipt of which is hereby acknowledged, the said GRANTOR does by these presents, grant, bargain, sell and convey unto **PEAK LIME, INC.** (hereinafter referred to as GRANTEE), the following described real estate, situated in Shelby County, Alabama, together with all structures and other improvements situated thereon (other than those structures and improvements set forth on Schedule C-1 of that certain Asset Purchase Agreement, dated as of September 27, 2001 by and among Grantor, Peak Investments, L.L.C. and Eastern Lime Holdings, L.P., as such agreement was assigned to Grantee by Peak Investments, L.L.C.), and all easements, licenses, privileges, hereditaments and appurtenances belonging or in any way appertaining to said real estate, to-wit:

**PARCEL 1 LEGAL DESCRIPTION:**

A parcel of land situated in the East one-half of Section 24, Township 22 South, Range 3 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the Northwest corner of said Section 24 and run in an Easterly direction for a distance of 4343.07 feet; thence deflect right 90 degrees 00 minutes 00 seconds and run in a Southerly direction for a distance of 1741.47 feet to the POINT OF BEGINNING; thence turn a deflection angle left of 71 degrees 36 minutes 40 seconds and run in a Southeasterly direction for a distance of 143.14 feet; thence turn a deflection angle right 87 degrees 19 minutes 33 seconds and run in a Southwesterly direction for a distance of 349.80 feet; thence turn a deflection angle left 82 degrees 23 minutes 24 seconds and run in a Southeasterly direction for a distance of 128.57 feet; thence turn a deflection angle right 68 degrees 06 minutes 10 seconds and run in a Southeasterly direction for a distance of 118.84 feet; thence turn a deflection angle right 57 degrees 35 minutes 44 seconds and run in an Southwesterly direction for a distance of 117.94 feet; thence turn a deflection angle left 81 degrees 03 minutes 18 seconds and run in a Southeasterly direction for a distance of 57.48 feet; thence deflect left 76 degrees 24 minutes 56 seconds and run in a Northeasterly direction for a distance of 155.33 feet; thence turn a deflection angle right 97 degrees 59 minutes 12 seconds and run in a Southerly direction for a distance of 103.44 feet; thence turn a deflection angle to the left 91 degrees 23 minutes 27 seconds and run in an Easterly direction for a distance of 39.63 feet; thence turn a deflection angle right 89 degrees 39 minutes 01 seconds and run in a Southerly direction for a distance of 508.09 feet; thence turn a deflection angle right 90 degrees 22 minutes 20 seconds and run in a Westerly

direction for a distance of 250.00 feet; thence turn a deflection angle right 33 degrees 54 minutes 03 seconds and run in a Northwesterly direction for a distance of 200.00 feet; thence turn a deflection angle right 51 degrees 44 minutes 59 seconds and run in a Northwesterly direction for a distance of 174.34 feet; thence turn a deflection angle left 10 degrees 27 minutes 00 seconds and run in a Northwesterly direction for a distance of 137.43 feet; thence turn a deflection angle right 07 degrees 55 minutes 39 seconds and run in a Northwesterly direction for a distance of 104.00 feet; thence turn a deflection angle right 07 degrees 19 minutes 02 seconds and run in a Northerly direction for a distance of 26.18 feet; thence turn a deflection angle left 65 degrees 41 minutes 29 seconds and run in a Northwesterly direction for a distance of 209.97 feet; thence turn a deflection angle right 55 degrees 21 minutes 29 seconds and run in a Northwesterly direction for a distance of 215.90 feet; thence turn a deflection angle right 14 degrees 11 minutes 09 seconds and run in a Northeasterly direction for a distance of 116.51 feet; thence turn a deflection angle to the right 30 degrees 41 minutes 51 seconds and run in a Northeasterly direction for a distance of 62.00 feet; thence turn a deflection angle to the right 56 degrees 17 minutes 46 seconds and run in an Easterly direction for a distance of 268.72 feet; thence turn a deflection angle to the left 71 degrees 51 minutes 42 seconds and run in a Northeasterly direction for a distance of 212.97 feet; thence turn a deflection angle to the right 34 degrees 33 minutes 40 seconds and run in a Northeasterly direction for a distance of 87.09 feet to the POINT OF BEGINNING. Said parcel contains 515,400 square feet or 11.83 acres more or less.

#### PARCEL 2 LEGAL DESCRIPTION:

A parcel of land situated in the East one-half of Section 24, Township 22 South, Range 3 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the Northwest corner of said Section 24 and run in an Easterly direction for a distance of 4518.22 feet; thence deflect right 87 degrees 47 minutes 56 seconds and run in a Southerly direction for a distance of 3077.73 feet; thence turn a deflection angle right 90 degrees 31 minute 14 seconds and run in a Westerly direction for a distance of 24.54 feet to the POINT OF BEGINNING; thence turn a deflection angle left 91 degrees 33 minutes 09 seconds and run in a Southerly direction for a distance of 293.97 feet; thence turn a deflection angle right 89 degrees 33 minutes 42 seconds and run in a Westerly direction for a distance of 82.55 feet to a point lying Easterly of CSX Railroad Track currently in place and the beginning of a curve to the right, said curve having a radius of 1620.79 feet, a central angle of 04 degrees 13 minutes 51 seconds, a chord distance of 119.66 feet and a deflection angle right to chord of 84 degrees 54 minutes 40 seconds; thence run along arc of said curve, and 30 feet parallel to centerline of said CSX Railroad, in a Northerly direction for a distance of 119.69 feet; thence turn a deflection angle right from chord of 05 degrees 39 minutes 47 seconds and run in a Northerly direction 30 feet parallel to centerline of said CSX Railroad for a distance of 178.04 feet; thence turn a deflection angle right 91 degrees 24 minutes 59 seconds and run in an easterly direction for a distance of 93.69 feet to the point of beginning. Said parcel contains 27,173 square feet or 0.62 acres, more or less.

#### Subject to:

1. Any minerals or mineral rights leased or granted by current or prior owners.
2. Taxes and assessments for the year 2001 and subsequent years that are not yet due and payable.
3. Right of Way granted to Alabama Power Company by instrument recorded in Instrument 1995-30154, in the Probate Office of Shelby County, Alabama.

4. Easement to Southern Railway Company recorded in Deed Book 222, page 160, in the Probate Office of Shelby County, Alabama.

5. Easements and Right of ways to Alabama Power Company, recorded in Deed Book 138, page 327, Deed Book 213, page 310, Deed Book 141, page 304, Deed Book 255, page 710, Deed Book 141, page 347, Deed Book 285, page 288, Deed Book 141, page 348, Deed Book 296, page 234, Deed Book 198, page 507, Deed Book 298, page 169, Deed Book 201, page 10, Deed Book 298, page 177 and Deed Book 302, page 440, in the Probate Office of Shelby County, Alabama.

6. Easements and Right of ways to Southern Natural Gas, recorded in Deed Book 90, page 300, Deed Book 141, page 112, Deed Book 90, page 289, Deed Book 205, page 252, Deed Book 90, page 181, Deed Book 248, page 597, Deed Book 141, page 57 and Deed Book 302, page 440, in the Probate Office of Shelby County, Alabama.

7. Easements and Right of ways to Shelby County, recorded in Deed Book 241, page 80, in the Probate Office of Shelby County, Alabama.

8. Easements and Right of ways to Plantation Pipe Line Company, recorded in Deed Book 112, page 306, Deed Book 210, page 574, Deed Book 112, page 309, Deed Book 210, page 576, Deed Book 112, page 336, Deed Book 325, page 50, Deed Book 112, page 595 and Deed Book 158, page 351, in the Probate Office of Shelby County, Alabama.

TO HAVE AND TO HOLD said real estate, together with all easements, licenses, privileges, hereditaments and appurtenances belonging or in any way appertaining to said real estate, unto GRANTEE and its successors and assigns in fee simple forever.

And subject to the foregoing, GRANTOR will warrant and forever defend the right and title to the said bargained premises unto GRANTEE against the claims of all persons owning, holding, or claiming by, through, or under GRANTOR, which claims are based upon matters occurring subsequent to GRANTOR's acquisition of the bargained premises, and prior to the date of delivery of this deed.



IN WITNESS WHEREOF, the said GRANTOR, who is authorized to execute this conveyance, has hereto set her signature this the 31<sup>st</sup> day of December, 2001.

**LAFARGE BUILDING MATERIALS INC.**

By: \_\_\_\_\_

Its: \_\_\_\_\_

Eric Olsen

Authorized Signatory

~~STATE OF~~ District of Columbia  
~~COUNTY OF~~ D

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Eric Olsen, whose name as Authorized Signatory of **Lafarge Building Materials Inc.**, an Alabama corporation, 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 foregoing conveyance, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal of office this 19<sup>th</sup> day of December, 2001.

Notary Public: Janice Reelink  
My Commission Expires: \_\_\_\_\_

[NOTARIAL SEAL]

**My Commission Expires February 14, 2004**

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