


This instrument was prepared by:
Bruce L. Gordon
Gordon, & Associates, L.L.C.
2450 SouthTrust Tower
Birmingham, AL 35203

Send Tax Notice to:
A.K.F., INC.
1042 Highway 31 South
Saginaw, Alabama 35137

STATUTORY WARRANTY DEED


20021230000652890 Pg 1/3 18.00
Shelby Cnty Judge of Probate, AL
12/30/2002 15:48:00 FILED/CERTIFIED

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

That in consideration of Seven Hundred Eighty-Eight Thousand and 00/100 Dollars (\$788,000.00) to the undersigned Grantor, Higginbotham Enterprises, Inc., an Alabama corporation (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 A.K.F., Inc. (herein referred to as GRANTEE), the following described real estate, situated in Shelby County, Alabama, to-wit:

SEE ATTACHED LEGAL DESCRIPTION

Less and except any part of subject property lying within a road right of way.

SUBJECT TO:

- (1) Taxes and assessments for the year 2003, and subsequent years, which are not yet due and payable;
- (2) Coal, oil, gas and other mineral interest in, to or under the land herein described;
- (3) Right of Way granted to Alabama Power Company by instrument recorded in Deed Book 101, page 97; Deed Book 103, page 486 and Deed Book 165, page 122, in the probate Office of Shelby County, Alabama;
- (4) Right of Way to Shelby County, recorded in Deed Book 244, page 129, in the Probate Office of Shelby County, Alabama;
- (5) Restrictions or Covenants recorded in Deed Book 273, page 870 and Instrument 1998-21730, in the Probate Office of Shelby County, Alabama.

The property conveyed is sold "As Is", "Where Is" and "With All Faults".

The consideration set out above is represented by a purchase money mortgage recorded simultaneously herewith.

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, by its President, **Burnie A. Higginbotham, Jr.**, who is authorized to execute this conveyance, has hereto set its signature and seal, this the 27th day of December, 2002.

Higginbotham Enterprises, Inc.

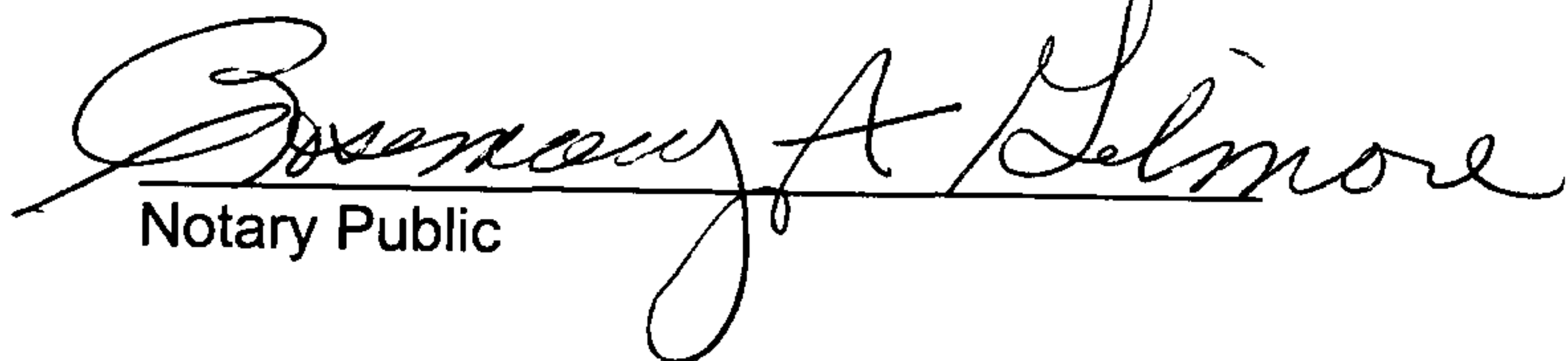
By: 

Its. President

STATE OF ALABAMA
COUNTY OF JEFFERSON

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Burnie A. Higginbotham, Jr., whose name as President of Higginbotham Enterprises 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 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, this the 27th day of December, 2002.


Notary Public

NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: OCT 10, 2006
BONDED THEREIN NOTARY PUBLIC UNDERWRITERS

EXHIBIT "A"

A parcel of land situated in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 17, Township 21 South, Range 2 West, and being more particularly described as follows:

Commencing at the SW corner of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 17, Township 21 South, Range 2 West; thence North $01^{\circ}01'18''$ East a distance of 214.04 feet to a point on the Southerly right of way of Shelby County Highway No. 87 (80 foot right of way); thence North $64^{\circ}05'17''$ East along said right of way a distance of 710.09 feet to the point of beginning; thence continue on the last described course a distance of 146.30 feet along the Southerly right of way of Shelby County Highway No. 87 (80 foot right of way) to the intersection of U.S. Highway No. 31 (100 foot right of way); thence South $73^{\circ}19'49''$ East along said right of way a distance of 102.65 feet; thence South $34^{\circ}40'33''$ East along the Westerly right of way of U.S. Highway No. 31 (100 foot right of way) a distance of 135.00 feet; thence South $55^{\circ}19'27''$ West a distance of 208.71 feet; thence North $34^{\circ}40'33''$ West a distance of 237.46 feet to the point of beginning; being situated in Shelby County, Alabama.