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Dennis R. Lyons and Patricia D. Lyons
149 Fulton Springs Road
Alabaster, AL 35007

20030129000054660 Pg 1/3 22.00
Shelby Cnty Judge of Probate, AL
01/29/2003 13:50:00 FILED/CERTIFIED

This instrument was prepared by:
James W. Fuhrmeister
ALLISON, MAY, ALVIS, FUHRMEISTER,
KIMBROUGH & SHARP, L.L.C.
P. O. Box 380275
Birmingham, AL 35238

WARRANTY DEED

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

THAT IN CONSIDERATION OF **Three Hundred Fifty Thousand and 00/100 (\$350,000.00) Dollars** as well that certain **Assignment of Rents by and between Grantor and Grantees dated even date herewith and incorporated herein by reference** and other good and valuable consideration to the undersigned Grantor in hand paid by the Grantees herein, the receipt of which is hereby acknowledged, **Robert J. Dow, a married man**, (herein referred to as Grantor) does grant, bargain, sell and convey unto **Creation Properties, LLC, an Alabama limited liability company**, (herein referred to as Grantee), the following described real estate, situated in the State of Alabama, County of Shelby, to-wit:

See Exhibit "A" for legal description.

- Subject to:
1. 100 foot Alabama Power Company easement crossing Lot 3, as shown by recorded Map.
 2. Overhead power line as shown by recorded Map.
 3. 25 foot access easement, as shown by recorded Map. (Lot 2-A)
 4. Rights of others in and to access easement and tower site recorded in Memorandum of PCS Site Agreement in Instrument 1997-11176 and amended in Instrument 20021217000630660, in the Probate Office of Shelby County, Alabama (including the PCS Site Agreement).
 5. Restrictions as shown by recorded Map.
 6. Right of Way granted to Alabama Power Company by instrument recorded in Volume 142, page 89 and Volume 205, page 662, in the Probate Office of Shelby County, Alabama.
 7. Easement to Dow recorded in Instrument 2000-36194, in the Probate Office of Shelby County, Alabama. (Easement)
 8. Restrictions appearing of record in Instrument 2000-5196, in the Probate Office of Shelby County, Alabama.
 9. Easement to Sam Hutchinson recorded in Instrument 20020926000463480, in the Probate Office of Shelby County, Alabama.
 10. Coal, oil, gas and other mineral interests in, to or under the land described herein.
 11. All other existing easements, restrictions, current taxes, set-back lines, rights of way, limitations, if any, of record.

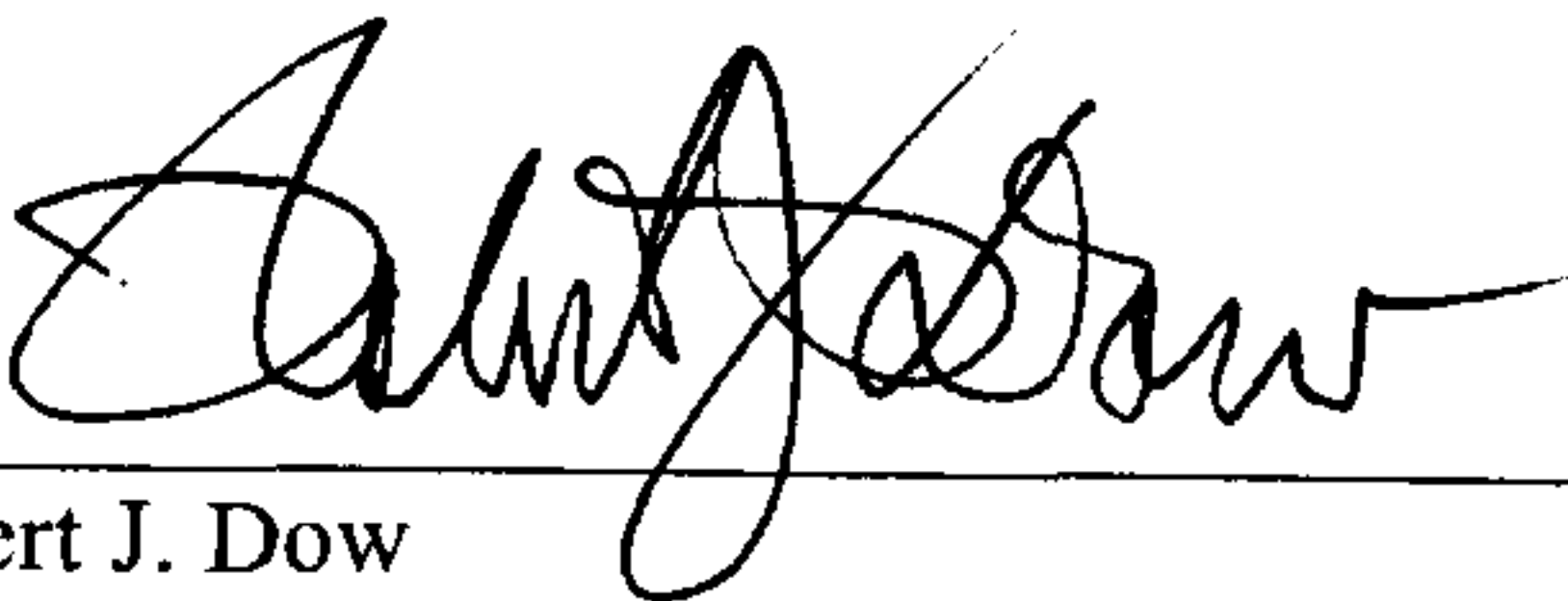
NOTE: All of the above consideration was paid from the proceeds of a mortgage filed simultaneously herewith.

NOTE: The property conveyed herein does not constitute any part of the Grantor's homestead.

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

And I do for myself and for my heirs, executors, personal representatives and administrators covenant with said 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, personal representatives 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 24th day of January, 2003.


Robert J. Dow

STATE OF ALABAMA)

COUNTY OF SHELBY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Robert J. Dow, a married man, 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 date the same bears date.

Given under my hand and official seal, this 24th day of January, 2003.

Notary Public

My commission expires: 5/21/03

EXHIBIT "A"

Lots 2-A, 2-C and 3, according to the Resubdivision of Lots 2 and 3, Saginaw Industrial Park, as recorded in Map Book 27, page 58, in the Probate Office of Shelby County, Alabama.

TO BE CONVEYED ALSO that portion of subject property designated as "Towersite" on the recorded map.

TOGETHER WITH an easement for ingress and egress, more particularly described as follows:

A proposed access easement lying in and being a part of the Southeast $\frac{1}{4}$ of Section 12, Township 21 South, Range 3 West, Shelby County, Alabama, said easement lying in Lot 1 of "Saginaw Industrial Park" as recorded in Map Book 25, page 54, in the Probate Office of Shelby County, Alabama, said easement being more particularly described as follows:

Commence at an iron pin found at said Southeast corner of Section 12, Township 21 South, Range 3 West; thence proceed Northerly along the East line of said Section 12 for 751.84 feet to an iron pin found at the Northeast corner of Lot 2-C of "Resubdivision of Lots 2 & 3 Saginaw Industrial Park" as recorded in Map Book 27, page 58, in the Probate Office of Shelby County, Alabama; thence turn a deflection angle left of $82^{\circ}48'22''$ and proceed Northwesterly along the Northerly line of said subdivision for 686.04 feet to an iron pin found at the Northwest corner of Lot 2-B of "Resubdivision of Lots 2 & 3 Saginaw Industrial Park", said point also lying on the Easterly right of way margin of Shelby County Highway No. 26, said point also lying in a curve to the right, said curve having a central angle of $23^{\circ}37'08''$ and a radius of 994.93 feet; thence turn a deflection angle left of $84^{\circ}53'57''$ to the tangent of said curve and proceed Southwesterly along the arc of said curve and along said Easterly right of way margin of Shelby County Highway No. 26 for 410.13 feet to a point, said point being the Point of Beginning of the herein described easement; thence leaving said right of way margin of Shelby County Highway No. 26, turn a deflection angle left of $87^{\circ}38'28''$ from the tangent of the last described curve and proceed Southeasterly along the Southerly line of said Lot 1 of "Saginaw Industrial Park" for 142.30 feet to a point; thence turn a deflection angle left of $26^{\circ}42'46''$ and proceed Southeasterly along the Southerly line of said Lot 1 of "Saginaw Industrial Park" for 26.62 feet to a point; thence turn a deflection angle left of $38^{\circ}52'58''$ and proceed Northeasterly along the Southeasterly line of said Lot 1 of "Saginaw Industrial Park" for 32.62 feet to a point; thence leaving said Southeasterly line of Lot 1 turn a deflection angle left of $111^{\circ}29'38''$ and proceed Northwesterly for 183.21 feet to a point on said Easterly right of way margin of Shelby County Highway No. 26, said point also lying in a curve to the right, said curve having a central angle of $2^{\circ}56'33''$ and a radius of 994.93 feet; thence turn a deflection angle left of $98^{\circ}12'42''$ to the tangent of said curve and proceed Southwesterly along the arc of said curve and along said Easterly right of way margin of Shelby County Highway No. 26 for 51.10 feet to the Point of Beginning.