

This instrument was prepared by:
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420 North 20th Street, Suite 3100
Birmingham, Alabama 35203

Send Tax notice to:
Birmingham Realty Company
2118 First Avenue North
Birmingham, Alabama 35203

STATE OF ALABAMA)

COUNTY OF SHELBY)

STATUTORY WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS that for and in consideration of Two Million Nine Hundred Forty-three Thousand Nine Hundred Thirty-six and 00/100 Dollars (\$2,943,936.00) and other good and valuable consideration to the undersigned grantors, **James E. Roberts**, a married man, and **Mark Clayton**, a married man, (collectively, "Grantor"), in hand paid by **Birmingham Realty Company**, an Alabama corporation ("Grantee"), the receipt and sufficiency whereof are hereby acknowledged, Grantor does hereby grant, bargain, sell, and convey unto Grantee that certain parcel of real estate situated in Shelby County, Alabama, being more particularly described on Exhibit A attached hereto and made a part hereof.

This conveyance is made subject to encumbrances set forth in Exhibit B attached hereto and made a part hereof.

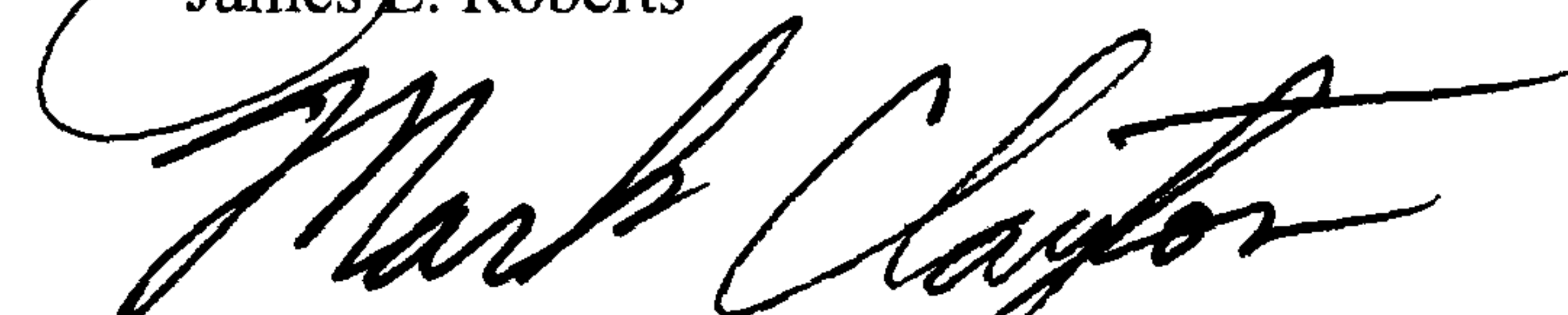
The foregoing is not the homestead of Grantor.

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

IN WITNESS WHEREOF, Grantor has caused these presents to be executed on this 14th day of May, 20003.

GRANTOR:


James E. Roberts


Mark Clayton

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that **James E. Roberts**, whose name 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 executed the same voluntarily as of the day the same bears date. Given under my hand this 14th day of May, 2003.

Elene S. Garrison
Notary Public
My Commission Expires: 12/13/06

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that **Mark Clayton**, whose name 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 executed the same voluntarily as of the day the same bears date. Given under my hand this 14th day of May, 2003.

Elene S. Garrison
Notary Public
My Commission Expires: 12/13/06

EXHIBIT A
LEGAL DESCRIPTION OF THE PROPERTY

A parcel of land being part of the East half of the Northeast Quarter of Section 31 and the West half of the Northwest Quarter of Section 32, all in Township 21 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the Southwest corner of the Southeast Quarter of the Northeast Quarter of Section 31, Township 21 South, Range 2 West, Shelby County, Alabama; thence a bearing of North 2 degrees 54 minutes 41 seconds West, based on the Highway 12 right-of-way map, a distance of 499.71 feet to a ½ inch rebar set (Stamped "CARR 00010", typical) at the Northwest corner of that parcel deeded to Kay Darnold in Instrument No. 1995-28050 and the point of beginning of the parcel herein described; thence continue North 2 degrees 54 minutes 41 seconds West a distance of 1,950.36 feet to a rebar set on the Southerly right-of-way line of Shelby County Highway No. 12, said point being on a curve to the right, concave Southerly with a radius of 1,869.86 feet, a chord of 457.10 feet and a chord bearing of South 66 degrees 48 minutes 15 seconds East; thence run Easterly, then Southeasterly 458.25 feet along the arc and right-of-way line to a found concrete monument, thence South 59 degrees 47 minutes 00 seconds East a distance of 1,423.70 feet along said right-of-way line to a ½ inch rebar set at the PC of a curve to the right, concave Southwesterly with a radius of 596.62 feet, a chord of 666.82 feet and a chord bearing of South 25 degrees 48 minutes 30 seconds East; thence run Southeasterly, then Southerly 707.56 feet along the arc of said curve and right-of-way line to a found concrete monument; thence South 8 degrees 11 minutes 24 seconds East a distance of 455.17 feet along the Westerly right-of-way line of Shelby County Highway No. 12 to a ½ inch rebar set at the Northeast corner of that parcel deeded to Kay Darnold in Instrument No. 1995-28050 thence South 89 degrees 59 minutes 07 seconds West a distance of 1,776.82 feet to the point of beginning.

EXHIBIT B
PERMITTED ENCUMBRANCES

1. Ad valorem taxes for the year ending September 30, 2003 and for all subsequent years;
2. Easement for the construction, operation and maintenance of utilities granted to the City of Calera as recorded in Instrument No. 1998-21395 and Instrument No. 1998-21396.
3. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto, including release of damages, as recorded in Real 352, Page 818 and Real 352, Page 805.
4. Right-of-way granted to the City of Calera for a gas main as recorded in Instrument No. 1999-29636.