

9750

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was
prepared by:

SEND TAX NOTICE TO:

R. Shan Paden
PADEN & PADEN
Attorneys at Law
5 Riverchase Ridge, Suite 100
Birmingham, Alabama 35244

HIGHPOINT PROPERTIES OF ALABAMA, LLC
5221 HIGHWAY 17
HELENA, AL 35080

STATE OF ALABAMA)
COUNTY OF SHELBY)

WARRANTY DEED

Know All Men by These Presents: That in consideration of ONE HUNDRED TWENTY THREE THOUSAND FIVE HUNDRED DOLLARS and 00/100 (\$123,500.00) to the undersigned grantor, CHENAULT INVESTMENTS CO., INC. a corporation, in hand paid by the GRANTEES herein, the receipt of which is hereby acknowledged, the said GRANTOR, does by these presents, grant, bargain, sell and convey unto HIGHPOINT PROPERTIES OF ALABAMA, LLC, (herein referred to as GRANTEES, whether one or more) the following described real estate, situated in SHELBY County, Alabama, to-wit:

A parcel of land located in the NE 1/4 of the NE 1/4 of Section 28, Township 20 South, Range 3 West, Shelby County, Alabama, more particularly described as follows:

Commence at the Northeast corner of the NE 1/4 of the NE 1/4 of Section; thence in a Southerly direction along the East line of said Section a distance of 443.76 feet; thence turn 91° right in a Westerly direction a distance of 899.95 feet to the point of beginning; thence continue along last said described course a distance of 207.35 feet to a point on the Easterly right of way line of the Helena-Montevallo Highway, said point being on a curve to the right said curve having a radius of 5769.90 feet and a central angle of 0° 50' 45" thence 84° 26' left to chord of said curve; thence along arc of said curve along right of way in a Southerly direction a distance of 85.19 feet to end of said curve; thence 95° 34' left from chord in an Easterly direction a distance of 209.59 feet; thence 85° 56' left in a Northerly direction a distance of 85.0 feet to the point of beginning.

Also, an easement for driveway more particularly described as follows:

Commence at the Northeast corner of the NE 1/4 of the NE 1/4 of Section 28, Township 20 South, Range 3 West; thence in a Southerly direction along the East line of said 1/4 - 1/4 Section a distance of 443.76 feet; thence 91° right in a Westerly direction a distance of 899.95 feet to the point of beginning; thence continue along last described course for a distance of 207.35 feet to a point on the Easterly right of way line of the Helena-Montevallo Highway, said point being on a curve to the left, said curve having a radius of 5769.90 feet and a central angle of 00° 00' 58"; thence 95° 08' 38" right to tangent of said curve; thence along arc of said curve, along said right of way in a Northeasterly direction a distance of 15.04 feet to the end of said curve; thence 85° 00' 20" right from tangent of said curve in an Easterly direction a distance of 207.09 feet; thence 94° 04' right in a Southeasterly direction a distance of 15.04 feet to the point of beginning.

SUBJECT TO:

1. TAXES FOR THE YEAR 2002 WHICH CONSTITUTE A LIEN BUT ARE NOT DUE AND PAYABLE UNTIL OCTOBER 1, 2003.
2. EASEMENT TO ALABAMA POWER COMPANY AS SET FORTH IN THE INSTRUMENT RECORDED IN DEED BOOK 130, PAGES 171 AND 172.

3. RIGHT OF WAY TO SHELBY COUNTY RECORDED IN DEED BOOK 154, PAGE 390 AND DEED BOOK 156, PAGE 53.
4. SOUTHERN NATURAL GAS EASEMENT AS RECORDED IN DEED BOOK 213, PAGE 126.
5. DRIVEWAY EASEMENT RECORDED IN DEED BOOK 259, PAGE 910 AND DEED BOOK 320, PAGE 122.

\$123,500.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

TO HAVE AND TO HOLD Unto the said GRANTEES, their heirs and assigns, forever.

And said GRANTOR does for itself, its successors and assigns, covenant with the said GRANTEES, his, her, or their heirs and assigns, that it is lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that it has a good right to sell and convey the same as aforesaid, and that it will and its successors and assigns shall warrant and defend the same to the said GRANTEES, his, her, or their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said GRANTOR, CHENAULT INVESTMENTS CO., INC., by its PRESIDENT, BEN L. CHENAULT who is authorized to execute this conveyance, has hereunto set its signature and seal, this the 15th day of August, 2003.

CHENAULT INVESTMENTS CO., INC.

By: 
BEN L. CHENAULT, PRESIDENT

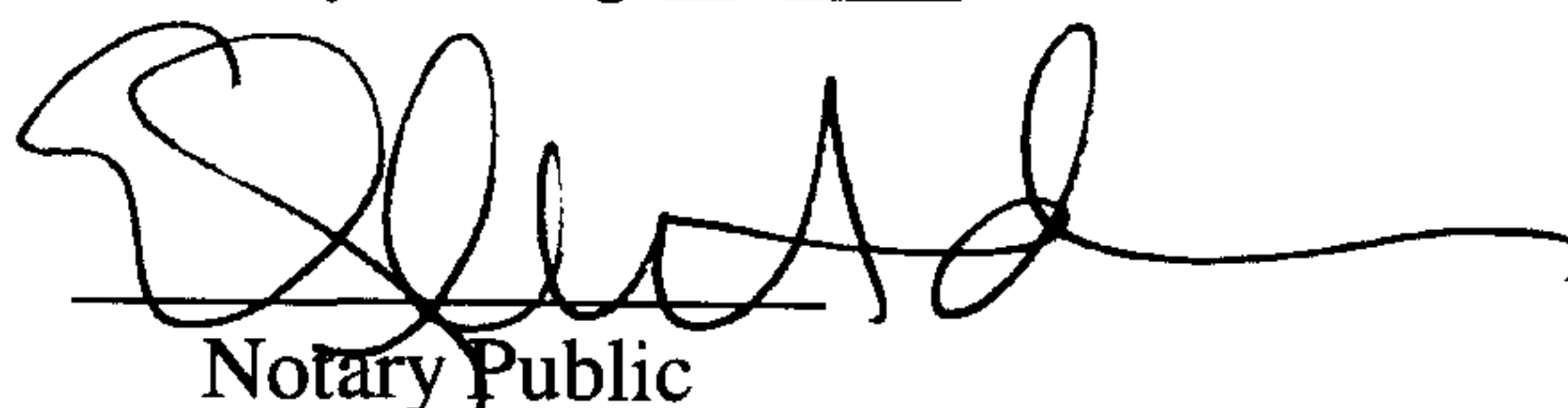
STATE OF ALABAMA)

COUNTY OF SHELBY)

ACKNOWLEDGMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that BEN L. CHENAULT, whose name as PRESIDENT of CHENAULT INVESTMENTS CO., INC., a 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 or she, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand this the 15th day of August, 2003.


Notary Public

My commission expires: 10. 2. 05