

**Note: This deed conveys property in Bibb and Shelby Counties. The value of the property which is located in Bibb County represents 98% of the total value of the property conveyed hereby. Recording tax is to be paid upon recordation in Bibb County.**

950.000<sup>00</sup>

**This instrument was prepared by:**  
**Blake J. Tompkins**  
**Balch & Bingham LLP**  
**P. O. Box 306**  
**Birmingham, Alabama 35201**

**SEND TAX NOTICE TO:**  
**Chemical Lime Company of Alabama, Inc.**  
**3700 Hulen Street**  
**Fort Worth, TX 76107**  
**Attention: Kenneth E. Curtiss**

**STATE OF ALABAMA )**  
**COUNTIES OF BIBB AND SHELBY )**

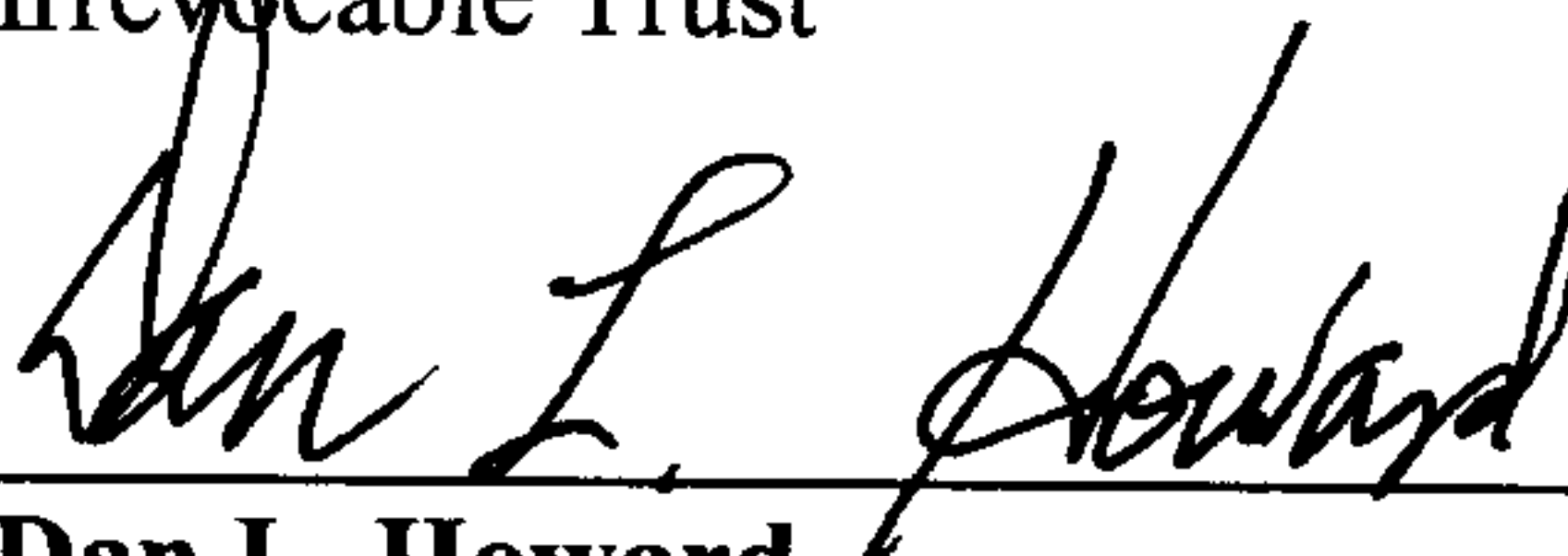
**STATUTORY WARRANTY DEED**

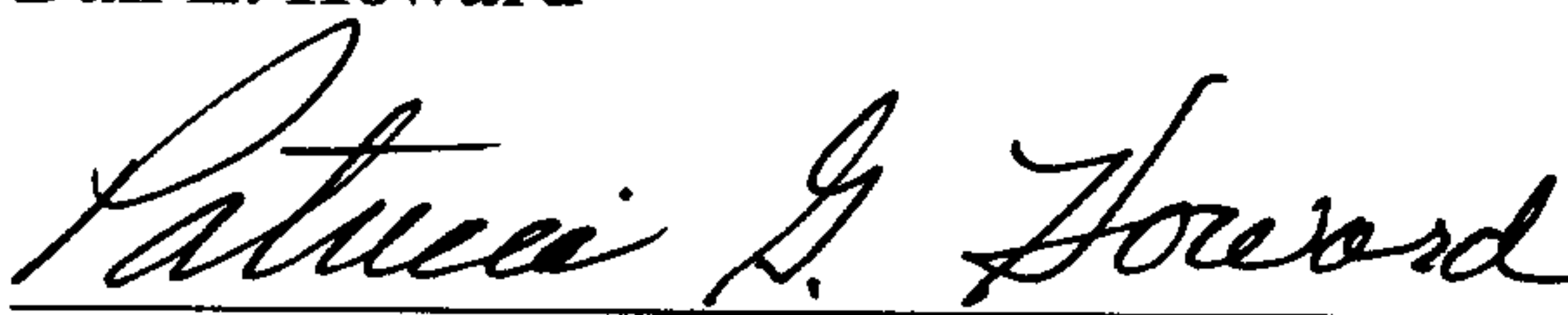
**KNOW ALL MEN BY THESE PRESENTS**, that for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) in hand paid to **Dan L. Howard and Patricia G. Howard, as Trustees of the Dan L. Howard Irrevocable Trust** (collectively the "Grantor"), the receipt and sufficiency whereof is hereby acknowledged, Grantor grants, bargains, sells and conveys, subject to the matters set forth on **Exhibit B** hereto, unto **Chemical Lime Company of Alabama, Inc.**, an Alabama corporation ("Grantee"), the real property described on **Exhibit A** hereto together with all easements and other appurtenances thereto and, to the extent assignable, all licenses, permits, other governmental approvals, and all utility and development rights relating thereto.

**TO HAVE AND TO HOLD** to the Grantee, its successors and assigns forever.

**IN WITNESS WHEREOF**, Grantor has hereunto caused this instrument to be executed effective as of the 24<sup>th</sup> day of October, 2003.

**DAN L. HOWARD AND PATRICIA G. HOWARD**, as Trustees of the Dan L. Howard Irrevocable Trust

  
Dan L. Howard

  
Patricia G. Howard

Recorded In RPB BK 124 PG 252, 10/29/2003 04:43:39 PM Deed Tax 950.00, Recording Fee 18.50, TOTAL 968.50  
Jerry C. Pow, Probate Judge, Bibb County, Alabama

STATE OF ALABAMA )

COUNTY OF JEFFERSON )

I, WANDA N. Kincaid, a Notary Public in and for said County in said State, hereby certify that **Dan L. Howard** and **Patricia G. Howard**, whose names as Trustees of the Dan L. Howard Irrevocable Trust, are signed to the foregoing instrument and who are known to me, acknowledged before me on this day that, being informed of the contents of the instrument, they, as such Trustees and with full authority, executed the same voluntarily.

Given under my hand this 24<sup>th</sup> day of October, 2003.

Wanda N. Kincaid  
Notary Public

[NOTARIAL SEAL]

My commission expires: 2/19/05

3000

STATE OF ALABAMA )  
COUNTIES OF BIBB AND SHELBY)

Commencing at a 2" iron pipe, found at the Southeast corner of Section 13, Township 24 North, Range 11 East; thence N01°47'09"W, along the East line of said Section, a distance of 796.34 feet to a ½" pipe, found at the point of beginning on the South right-of-way of State Highway No. 25; thence S88°14'37"W, along said right-of-way, a distance of 970.56 feet to a ½" rebar, found with cap stamped "Moates"; thence S01°47'09"E, a distance of 806.23 feet, to a point; thence S00°29'43"E, a distance of 1733.93 feet to a ½" pipe, found on the North bank of Mahan Creek; thence S00°29'43"E, a distance of 32.03 feet to a point in the center of Mahan Creek; thence along the center of Mahan Creek the following; N59°39'06"E, 103.92 feet; N52°17'31"E, 152.21 feet, S86°06'33"E, 76.63 feet, S64°16'49"E, 97.11 feet, S31°22'49"E, 151.35 feet, S27°29'20"E, 150.33 feet, S46°42'54"E, 136.73 feet, S52°04'25"E, 106.15 feet, S66°11'39"E, 83.76 feet, S62°34'54"E, 50.14 feet, S87°22'06"E, 58.60 feet, S59°16'44"E, 50.44 feet, thence N00°42'59"E, a distance of 358.86 feet, to the beginning of a substantial fence; thence N00°42'59"E, along said fence, a distance of 1898.35 feet, to a ½" rebar; thence N01°39'45"W, along said fence, a distance of 804.14 feet, to a ½" rebar, found on the South right-of-way of State Highway No. 25; thence S87°05'36"W, a distance of 92.21 feet to the point of beginning of the herein described parcel.

**EXHIBIT B**  
**Permitted Exceptions**

Parcel I

1. The lien for ad valorem taxes for 2003 and 2004.
2. The rights of upstream and downstream riparian owners with respect to any body of water which may lie adjacent to, and/or traversing through, subject property.
3. Right of way to Southern Bell Telephone and Telegraph Company, recorded in Book 122, page 245, in the Probate Office of Bibb County, Alabama.
4. Right of way to Bibb County, recorded in Book 36, page 145, in the Probate Office of Bibb County, Alabama.
5. Mineral and mining rights and rights incident thereto recorded in Book 119, page 910, in the Probate Office of Bibb County, Alabama.

Parcel II

1. The lien for ad valorem taxes for 2003 and 2004.
2. Right of way to Shelby County, recorded in Deed Book 82, page 558, Deed Book 74, page 96, Deed Book 108, page 121 and Minute Book 14, page 195, in the Probate Office of Shelby County, Alabama.
3. Mineral and mining rights and rights incident thereto recorded in Book 20, page 868, in the Probate Office of Shelby County, Alabama.
4. Transmission line permits to Alabama Power Company recorded in Deed Book 99, page 85, Deed Book 99, page 80, Deed Book 127, page 329, Deed Book 127, page 507, Deed Book 133, page 583 and Deed Book 136, page 326, in the Probate Office of Shelby County, Alabama.

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