

Send Tax Notice To:

Vulcan Lands, Inc.
1200 Urban Center Drive
Birmingham, AL 35243

STATE OF ALABAMA)
 :
SHELBY COUNTY)

5,600,000 dollars

STATUTORY WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, paid in hand to **BEARDEN PROPERTIES, LLC**, an Alabama limited liability company ("Grantor"), by **VULCAN LANDS, INC.**, a Delaware corporation ("Grantee"), the receipt and sufficiency of which are hereby acknowledged, Grantor does hereby grant, bargain, sell and convey unto Grantee the land located in Shelby County, Alabama more particularly described on Exhibit A attached hereto and incorporated herein (the "Land"), together with (a) all structures and other improvements situated thereon, (b) all easements, licenses, privileges, hereditaments and appurtenances belonging or in any way appertaining to the Land, (c) all timber growing or lying on the Land, (d) all minerals within or underlying the Lands including, without limitation, all coal, oil, gas, petroleum and hydrocarbons, to the extent such minerals are owned by Grantor, and all mining rights and other rights pertaining thereto, and (e) all clay, sand, stone, gravel, rock, sandstone, granite, lime, sulfur, water, coal bed methane gas, natural gas, ores, limestone, phosphate, bauxite, kaolin and all other non-mineral substances, within or underlying the Land and all mining rights and other rights pertaining thereto; subject however, to the exceptions listed on Exhibit B attached hereto and incorporated herein.

TO HAVE AND TO HOLD unto Grantee and its successors and assigns, in fee simple forever.

IN WITNESS WHEREOF, Bearden Properties, LLC has caused this conveyance to be executed on this 19 day of December, 2003.

BEARDEN PROPERTIES, LLC

By: Joel E. Bearden Jr.
Joel E. Bearden, Jr.
Its Operating Manager

By: Robert E. Owens, Jr.
Robert E. Owens, Jr.
Its Operating Manager

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that JOEL E. BEARDEN, JR., whose name as Operating Manager of BEARDEN PROPERTIES, LLC, an Alabama limited liability company, 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, as such Operating Manager and with full authority, executed the same voluntarily for and as the act of said limited liability company.

Given under my hand and seal of office this 19th day of December, 2003.

[Signature]
Notary Public

[NOTARIAL SEAL]

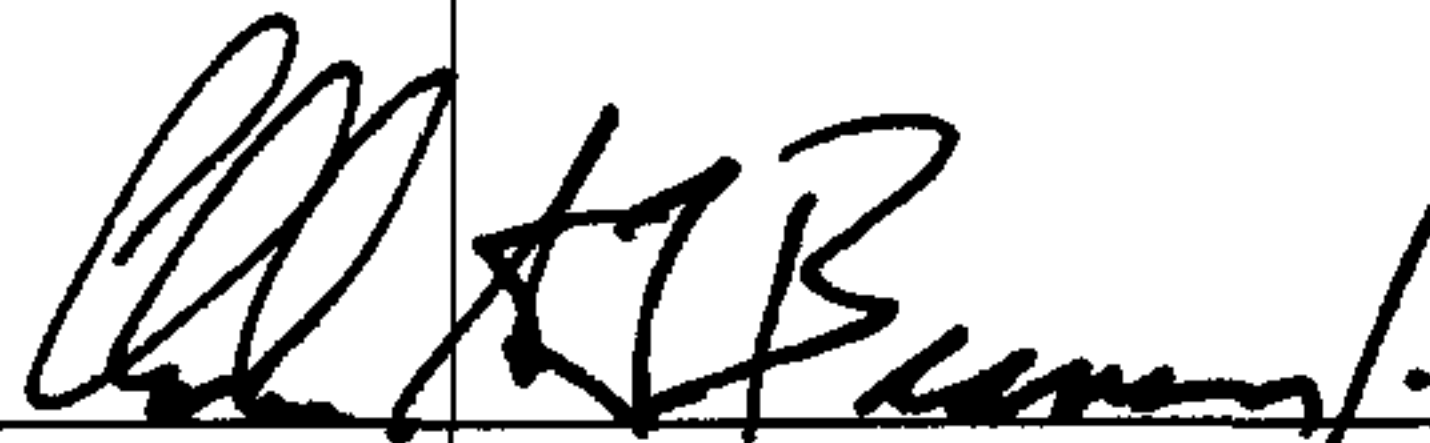
My Commission Expires: 8-1-07

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that ROBERT E. OWENS, JR., whose name as Operating Manager of BEARDEN PROPERTIES, LLC, an Alabama limited liability company, 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, as such Operating Manager and with full authority, executed the same voluntarily for and as the act of said limited liability company.

Given under my hand and seal of office this 19th day of December, 2003.



Notary Public

[NOTARIAL SEAL]

My Commission Expires: 8-1-07

This instrument was prepared by:

Meade Whitaker, Jr.
1819 Fifth Avenue North
Birmingham, Alabama 35203

EXHIBIT A

LEGAL DESCRIPTION

A parcel of land containing 111.567 acres, more or less, being all that portion of North Half of the North Half of Section 11 lying West of State Highway 261 and the Northeast Quarter of the Northeast Quarter of Section 10, both in Township 20 South, Range 3 West, Shelby County, Alabama; being more particularly described as follows with a bearing basis being an assumed bearing for the North line of Section 11:

Commence and begin at a three inch capped pipe found at the Northwest Corner of the Northwest Quarter of the Northwest Quarter of Section 11, Township 20 South, Range 3 West, Shelby County, Alabama; thence run an assumed bearing of North 90°00'00" East 1322.19 feet to a three inch capped pipe found; thence continue North 90°00'00" East 1373.73 feet to a 1/2 inch rebar set (all set with a "CAE 00010" imprinted on a yellow cap) on the Westerly right-of-way line of Alabama Highway 261; thence South 24°03'41" West 397.44 feet along said West right-of-way line to a 1/2 inch rebar set at the PC of a curve to the right, concave Westerly with a radius of 2824.79 feet, a central angle of 9°02'00", a chord bearing of South 28°34'40" West and a chord length of 444.87 feet; thence continue Southerly, then Southwesterly along the arc of the said curve 445.33 feet, being along said West right-of-way line to a 1/2 inch rebar set; thence continue South 33°28'16" West along said West right-of-way line 520.10 feet to a 1/2 inch rebar set at the PC of a curve to the left, concave Easterly with a radius of 2904.79 feet, a central angle of 3°18'38", a chord bearing of South 31°48'57" West and a chord length of 167.81 feet; thence continue Southwesterly, then Southerly along the arc of said curve 167.83 feet, being along said West right-of-way line to a 1/2 inch rebar set; thence leaving said right-of-way line, South 89°58'05" West 586.92 feet to a 5/8 inch rebar found; thence South 89°58'05" West 1320.44 feet to a 1 1/2 inch open pipe found; thence South 89°46'37" West 1318.68 feet to a 5/8 inch rebar found; thence North 1°33'06" West 1331.90 feet to a three inch capped pipe found; thence North 89°47'28" East 1316.35 feet to the Point of Beginning.

EXHIBIT B
EXCEPTIONS

1. Ad valorem property taxes for the tax year beginning on October 1, 2003, and all subsequent years.
2. Easements granted to Alabama Power Company recorded in Deed Book 103 page 143, Deed Book 105, page 23, Deed Book 130, page 150, Deed Book 134, page 207, Deed Book 142, page 102, Deed Book 179, page 330, Deed Book 216, page 606 and Real Volume 245, page 19, in the Probate Office of Shelby County, Alabama.
3. Easement granted to the South Central Bell Telephone Company in Deed Book 353, page 816 in said Probate Office.
4. 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 Deed Book 87, page 190, Deed Book 110, page 462 and Deed Book 111, page 289 in said Probate Office.