



20040507000243240 Pg 1/7 30.00
Shelby Cnty Judge of Probate, AL
05/07/2004 15:53:00 FILED/CERTIFIED

STATUTORY WARRANTY DEED

STATE OF ALABAMA)

SHELBY COUNTY)

no tax
3,909,814.90

KNOW ALL MEN BY THESE PRESENTS, That in consideration of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, to the undersigned, COLONIAL PROPERTIES SERVICES, INC., an Alabama corporation (the "Grantor") in hand paid by the Grantee herein, the receipt whereof is acknowledged, Grantor does grant, bargain, sell and convey unto the City of Alabaster (herein referred to as Grantee), all of its interest in, the real estate described on the attached Exhibit "A" which is incorporated herein by reference and which is situated in Shelby County, Alabama (the "Property"). Grantor is the sole owner of the Property.

The transfer is subject to:

1. Taxes for 2004 and subsequent years not yet due and payable, along with those exceptions listed on Exhibit "B".

TO HAVE AND TO HOLD said property, together with all and singular the rights, members and appurtenances thereof, to the same being belonging or in any ways appertaining to the only prior use, benefit and behoof to said GRANTEE its successors and assigns, forever.

7th IN WITNESS WHEREOF, the GRANTOR has executed this conveyance on this day of May, 2004.

COLONIAL PROPERTIES SERVICES, INC.

By:

Its:

RESEA
VP

STATE OF ALABAMA)

J. Epperson)
COUNTY)

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that Bryan Ratliff, whose name as VP of the Colonial Properties Services, Inc., an Alabama corporation is signed to the foregoing document, and who is known to me, acknowledged before me on this day, that, being informed of the contents thereof, he, as such officer and with full authority, executed the same voluntarily for and as the act of said entity.

Given under my hand and official seal this 2 day of May, 2004.

James I. Epperson
Notary Public

My Commission Expires:

MY COMMISSION EXPIRES
JANUARY 15, 2008

THIS INSTRUMENT PREPARED BY:

Bradley G. Siegal, Esq.
Leitman, Siegal & Payne, P.C.
600 North 20th Street, Suite 400
Land Title Building
Birmingham, Alabama 35203

SEND TAX NOTICE TO:

EXHIBIT "A"

ROADWAY PARCEL ONE LEGAL DESCRIPTION

A parcel of land situated in the Southeast 1/4 of Section 1, Township 21 South, Range 3 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the Southeast corner of Section 1, Township 21 South, Range 3 West; thence in a Westerly direction along the South line of said Section 1 a distance of 1965.36 feet to a point on the Easterly Right-of-Way line of Interstate Drive; thence $84^{\circ}15'29''$ to the right in a Northerly direction along said Right-of-Way line a distance of 428.78 feet to the POINT OF BEGINNING of the parcel described herein, said point being the P.C. (point of curve) of a curve to the right having a radius of 25.00 feet and a central angle of $86^{\circ}31'11''$; thence in a Northerly, Northeasterly and Easterly direction (leaving said Right-of-Way line) along the arc of said curve a distance of 37.75 feet to the P.T. (point of tangent) of said curve; thence tangent to said curve in an Easterly direction a distance of 491.10 feet to a point; thence $93^{\circ}42'51''$ to the left in a Northerly direction a distance of 60.12 feet to a point; thence $86^{\circ}17'09''$ to the left in a Westerly direction a distance of 507.08 feet to a point; thence $86^{\circ}31'11''$ to the left in a Southerly direction a distance of 83.64 feet to the POINT OF BEGINNING.

Containing 30,767 Square feet or 0.706 Acre.

ROADWAY AND DETENTION PARCEL TWO LEGAL DESCRIPTION

A parcel of land situated in the Northeast 1/4, the Southeast 1/4 and the Southwest 1/4 of Section 1, and the Northwest 1/4 of the Northeast 1/4 of Section 12, all in Township 21 South, Range 3 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the Southeast corner of Section 1, Township 21 South, Range 3 West; thence in a Westerly direction along the South line of said Section 1 a distance of 2055.82 feet to a point on the Westerly Right-of-Way line of Interstate Drive, said point being the POINT OF BEGINNING of the parcel described herein; thence $84^{\circ}15'29''$ to the right in a Northerly direction along said Right-of-Way line a distance of 364.54 feet to a point at the intersection of said Right-of-Way line and the Northeasterly line of a 100 foot wide Alabama Power Company Right-of-Way; thence $153^{\circ}08'27''$ to the right in a Southeasterly direction along said Interstate Drive Right-of-Way line and along the Northeasterly line of said Alabama Power Company Right-of-Way a distance of 22.13 feet to a point; thence $153^{\circ}08'27''$ to the left in a Northerly direction (leaving said Alabama Power Company Right-of-Way line) along said Interstate Drive Right-of-Way line a distance of 394.15 feet to the P.C. (point of curve) of a curve to the right having a radius of 994.93 feet and a central angle of $2^{\circ}25'41''$; thence in a Northerly direction along the arc of said curve and along said Right-of-Way line a distance of 42.16 feet to a point, said point lying on a curve to the left having a radius of 1600.00 feet and a central angle of $16^{\circ}28'49''$; thence $17^{\circ}12'31''$ to the left (angle measured from tangent to tangent) in a Northerly and Northwesterly direction along the arc of said curve a distance of 460.22 feet to the P.T. (point of tangent) of said curve; thence tangent to said curve in a Northwesterly direction a distance of 197.69 feet to a point, said point lying on a curve to the left having a radius of 20.00 feet and a central angle of $90^{\circ}00'00''$; thence 180° to the right (angle measured to tangent) in a Southeasterly, Easterly and

Northeasterly direction along the arc of said curve a distance of 31.42 feet to the P.T. (point of tangent) of said curve; thence tangent to said curve in a Northeasterly direction a distance of 27.21 feet to the P.C. (point of curve) of a curve to the right having a radius of 224.50 feet and a central angle of $26^{\circ}54'46''$; thence in a Northeasterly and Easterly direction along the arc of said curve a distance of 105.45 feet to the P.T. (point of tangent) of said curve; thence tangent to said curve in an Easterly direction a distance of 12.71 feet to the P.C. (point of curve) of a curve to the left having a radius of 30.00 feet and a central angle of $90^{\circ}00'00''$; thence in an Easterly, Northeasterly and Northerly direction along the arc of said curve a distance of 47.12 feet to the P.T. (point of tangent) of said curve; thence tangent to said curve in a Northerly direction a distance of 273.89 feet to a point; thence $85^{\circ}38'38''$ to the left in a Westerly direction a distance of 327.03 feet to a point, said point lying on a curve to the right having a radius of 500.00 feet and a central angle of $40^{\circ}06'14''$; thence $83^{\circ}12'24''$ to the right (angle measured to tangent) in a Northerly and Northeasterly direction along the arc of said curve a distance of 349.97 feet to the P.T. (point of tangent) of said curve; thence tangent to said curve in a Northeasterly direction a distance of 195.83 feet to the P.C. (point of curve) of a curve to the right having a radius of 25.00 feet and a central angle of $90^{\circ}00'00''$; thence in a Northeasterly, Easterly and Southeasterly direction along the arc of said curve a distance of 39.27 feet to the P.T. (point of tangent) of said curve; thence tangent to said curve in a Southeasterly direction a distance of 72.11 feet to the P.C. (point of curve) of a curve to the left having radius of 1045.00 feet and a central angle of $5^{\circ}30'48''$; thence in a Southeasterly direction along the arc of said curve a distance of 100.55 feet to the P.T. (point of tangent) of said curve; thence tangent to said curve in a Southeasterly direction a distance of 84.19 feet to a point; thence $31^{\circ}30'00''$ to the left in a Northeasterly direction a distance of 26.79 feet to a point; thence $31^{\circ}30'00''$ to the right in a Southeasterly direction a distance of 840.40 feet to a point; thence 90° to the left in a Northeasterly direction a distance of 60.00 feet to a point; thence 90° to the left in a Northwesterly direction a distance of 840.36 feet to a point; thence $48^{\circ}39'24''$ to the right in a Northwesterly direction a distance of 34.63 feet to a point; thence $48^{\circ}39'24''$ to the left in a Northwesterly direction a distance of 79.38 feet to the P.C. (point of curve) of a curve to the right having a radius of 1045.00 feet and a central angle of $5^{\circ}30'48''$; thence in a Northwesterly direction along the arc of said curve a distance of 100.55 feet to the P.T. (point of tangent) of said curve; thence tangent to said curve in a Northwesterly direction a distance of 67.30 feet to the P.C. (point of curve) of a curve to the right having a radius of 25.00 feet and a central angle of $90^{\circ}00'$; thence in a Northwesterly, Northerly and Northeasterly direction along the arc of said curve a distance of 39.27 feet to the P.T. (point of tangent) of said curve; thence tangent to said curve in a Northeasterly direction a distance of 258.78 feet to a point; thence $85^{\circ}06'07''$ to the right in a Southeasterly direction a distance of 112.00 feet to a point; thence $90^{\circ}36'54''$ to the left in a Northeasterly direction a distance of 89.17 feet to the P.C. (point of curve) of a curve to the right having a radius of 338.50 feet and a central angle of $22^{\circ}58'43''$; thence in a Northeasterly direction along the arc of said curve a distance of 135.76 feet to the P.T. (point of tangent) of said curve; thence tangent to said curve in a Northeasterly direction a distance of 165.27 feet to a point; thence $107^{\circ}27'54''$ to the left in a Northwesterly direction a distance of 166.67 feet to a point; thence 90° to the right in a Northeasterly direction a distance of 22.55 feet to the P.C. (point of curve) of a curve to the right having a radius of 450.00 feet and a central angle of $17^{\circ}27'56''$; thence in a Northeasterly direction along the arc of said curve a distance of 137.17 feet to the P.T. (point of tangent) of said curve; thence tangent to said curve in a Northeasterly direction a distance of 172.12 feet to the P.C. (point of curve) of a curve to the left having a radius of 350.00 feet and a central angle of

17°22'26"; thence in a Northeasterly direction along the arc of said curve a distance of 106.13 feet to the P.T. (point of tangent) of said curve; thence tangent to said curve in a Northeasterly direction a distance of 479.83 feet to the P.C. (point of curve) of a curve to the right having a radius of 25.00 feet and a central angle of 84°23'49"; thence in a Northeasterly, Easterly and Southeasterly direction along the arc of said curve a distance of 36.83 feet to the P.T. (point of tangent) of said curve; thence tangent to said curve in a Southeasterly direction a distance of 764.68 feet to a point; thence 90° to the left in a Northeasterly direction a distance of 60.00 feet to a point; thence 90° to the left in a Northwesterly direction a distance of 881.93 feet to a point on the Easterly Right-of-Way line of Interstate Highway No. 65; thence 84°23'49" to the left in a Southwesterly direction along said Right-of-Way line a distance of 552.94 feet to a concrete Right-of-Way monument; thence 30°30'08" to the right in a Southwesterly direction along said Right-of-Way line a distance of 173.96 feet to a concrete Right-of-Way monument; thence 30°35'37" to the left in a Southwesterly direction along said Right-of-Way line a distance of 1591.01 feet to a concrete Right-of-Way monument; thence 13°28'52" to the left in a Southwesterly direction along said Right-of-Way line a distance of 572.42 feet to a concrete Right-of-Way monument; thence 12°13'40" to the left in a Southerly direction along said Right-of-Way line a distance of 111.29 feet to a point; thence 114°12'48" to the left in a Northeasterly direction (leaving said Right-of-Way line) a distance of 477.04 feet to a point; thence 75°20'35" to the right in a Southeasterly direction a distance of 205.52 feet to the P.C. (point of curve) of a curve to the right having a radius of 1500.00 feet and a central angle of 25°50'16"; thence in a Southeasterly and Southerly direction along the arc of said curve a distance of 676.43 feet to the P.C.C. (point of compound curve) of a curve to the right having a radius of 25.00 feet and a central angle of 91°56'33"; thence in a Southerly, Southwesterly and Westerly direction along the arc of said curve a distance of 40.12 feet to the P.T. (point of tangent) of said curve; thence tangent to said curve in a Westerly direction a distance of 28.42 feet to the P.C. (point of curve) of a curve to the left having a radius of 525.00 feet and a central angle of 17°16'02"; thence in a Westerly and Southwesterly direction along the arc of said curve a distance of 158.22 feet to the P.T. (point of tangent) of said curve; thence tangent to said curve in a Southwesterly direction a distance of 90.75 feet to the P.C. (point of curve) of a curve to the left having a radius of 225.00 feet and a central angle of 45°33'32"; thence in a Southwesterly direction along the arc of said curve a distance of 178.91 feet to the P.T. (point of tangent) of said curve; thence tangent to said curve in a Southwesterly direction a distance of 72.60 feet to the P.C. (point of curve) of a curve to the right having a radius of 62.00 feet and a central angle of 8°48'01"; thence in a Southwesterly direction along the arc of said curve a distance of 9.52 feet to a point on the Northeasterly Right-of-Way line of U.S. Highway No. 31; thence 80°59'15" to the left (angle measured to tangent) in a Southeasterly direction along said Right-of-Way line a distance of 49.67 feet to a concrete Right-of-Way monument; thence 1°35'30" to the right in a Southeasterly direction along said Right-of-Way line a distance of 0.68 feet to a point, said point lying on a curve to the left having a radius of 112.00 feet and a central angle of 12°50'47"; thence 96°33'31" to the left (angle measured to tangent) in a Northeasterly direction (leaving said Right-of-Way line) along the arc of said curve a distance of 25.11 feet to the P.T. (point of tangent) of said curve; thence tangent to said curve in a Northeasterly direction a distance of 72.60 feet to the P.C. (point of curve) of a curve to the right having a radius of 175.00 feet and a central angle of 45°33'32"; thence in a Northeasterly direction along the arc of said curve a distance of 139.15 feet to the P.T. (point of tangent) of said curve; thence tangent to said curve in a Northeasterly direction a distance 90.75 feet to the P.C. (point of curve) of a curve to the right having a radius

of 475.00 feet and a central angle of $17^{\circ}16'02''$; thence in a Northeasterly and Easterly direction along the arc of said curve a distance of 143.15 feet to the P.T. (point of tangent) of said curve; thence tangent to said curve in an Easterly direction a distance of 30.12 feet to the P.C. (point of curve) of a curve to the right having a radius of 25.00 feet and a central angle of $93^{\circ}28'49''$; thence in an Easterly, Southeasterly and Southerly direction along the arc of said curve a distance of 40.79 feet to the P.T. (point of tangent) of said curve; thence tangent to said curve in a Southerly direction a distance of 447.31 feet to the P.C. (point of curve) of a curve to the right having a radius of 225.00 feet and a central angle of $24^{\circ}01'00''$; thence in a Southerly and Southwesterly direction along the arc of said curve a distance of 94.31 feet to the P.C.C. (point of compound curve) of a curve to the right having a radius of 105.00 feet and a central angle of $58^{\circ}29'22''$; thence in a Southwesterly direction along the arc of said curve a distance of 107.19 feet to a point on the Northeasterly Right-of-Way line of U.S. Highway No. 31, said point also lying on a curve to the right having a radius of 2391.83 feet and a central angle of $0^{\circ}51'45''$; thence $122^{\circ}44'21''$ to the left (angle measured from tangent to tangent) in a Southeasterly direction along said Right-of-Way line and along the arc of said curve a distance of 36.01 feet to a point at the intersection of said U.S. Highway No. 31 Right-of-Way line and the Westerly Right-of-Way line of Interstate Drive; thence $89^{\circ}07'45''$ to the left (angle measured to tangent) in a Northeasterly direction along said Interstate Drive Right-of-Way line a distance of 5.64 feet to the P.C. (point of curve) of a curve to the left having a radius of 236.40 feet and a central angle of $51^{\circ}30'00''$; thence in a Northeasterly and Northerly direction along said Right-of-Way line and along the arc of said curve a distance of 212.48 feet to the P.T. (point of tangent) of said curve; thence 90° to the right (angle measured to tangent) in an Easterly direction along said Right-of-Way line a distance of 20.00 feet to a point; thence 90° to the left in a Northerly direction a distance of 26.81 feet to the POINT OF BEGINNING.

Containing 838,087 Square feet or 19.240 Acres.

Area:

PARCEL ONE: 0.706 ACRES

PARCEL TWO: 19.240 ACRES

TOTAL: 19.946 ACRES

File: ALABASTER-ROAD-DET-ALTA-042204.doc

1. Right of Way granted to Alabama Power Company by instrument(s) recorded in Deed Book 48, Pages 584 and 617; Deed Book 107, Pages 133, 140 and 143; Deed Book 130, Pages 52, 86, 89, 91, 92, 93 and 94; Deed Book 145, Page 297; Deed Book 169, Page 335; Deed Book 179, Page 337; Deed Book 180, Page 36; Deed Book 181, Pages 212 and 229; Deed Book 207, Pages 669, 676 and 677; Deed Book 210, Pages 109, 114, 121, 123 and 125; Deed Book 213, Page 366; Deed Book 218, Pages 651 and 656; Deed Book 219, Page 584; Deed Book 250, Page 852 and Deed Book 262, Page 750.
2. Denial of all existing, future, or potential common law or statutory rights of access between subject property and I-65.
3. Agreement for water line easement to Alabaster Water and Gas Board as recorded in Instrument #1992-21213.
4. Restrictions as to uses declared in that certain I-65, Exit 238 Redevelopment Plan adopted by the City of Alabaster, Alabama, as may be amended from time to time, as set out on deed recorded in Instrument # 20040218000085110; Instrument # 20040218000085140; Instrument # 20040211000072140 and Instrument # 20040218000085080.
5. Mineral and Mining Rights as set out on Instrument # 20040224000095590. (As to property situated in Section 12, Township 21 South, Range 3 West)
6. Encroachment of 1 Story Frame house over Southeasterly lot line, billboards, 18 inch CIP Water Main, sanitary sewer, water mains and lines, power lines and poles, telephone lines, telephone pull box, gas lines and other utilities, branch, as shown on Preliminary Survey of Walter Schoel Engineering, dated February 24, 2004; last revised on March 26, 2004.
7. Temporary Easement for ingress/egress as reserved in vacation recorded in Instrument # 20040408000184040. Said temporary easement for access shall automatically expire upon construction of the new public road as set out in said vacation.
8. Rights of utilities, if any, in and to that portion vacated in Instrument # 20040408000184040.

EXHIBIT "B"