
THIS INSTRUMENT WAS PREPARED BY:

Stephen W. Stallcup, Esq.
Maynard, Cooper & Gale, P.C.
1901 Sixth Avenue North
2400 AmSouth/Harbert Plaza
Birmingham, Alabama 35203

SEND TAX NOTICE TO:

H & E Wise, L.L.C.
P.O. Box 8
Saginaw, Alabama 35137
Attn: Howard Wise

WARRANTY DEED

STATE OF ALABAMA
COUNTY OF SHELBY

KNOW ALL MEN BY THESE PRESENTS, That in consideration of Three Hundred Sixty Five Thousand Dollars---(\$365,000.00)---and other good and valuable consideration to the undersigned grantor in hand paid by the Grantee herein, the receipt whereof is acknowledged, I, **SUZANNE LACEY, an unmarried woman** (herein referred to as GRANTOR), do grant, bargain, sell and convey unto **H & E WISE, L.L.C., an Alabama limited liability company** (herein referred to as GRANTEE), the real property situated and being in Shelby County, Alabama, as more particularly described on Exhibit A attached hereto and made a part hereof.

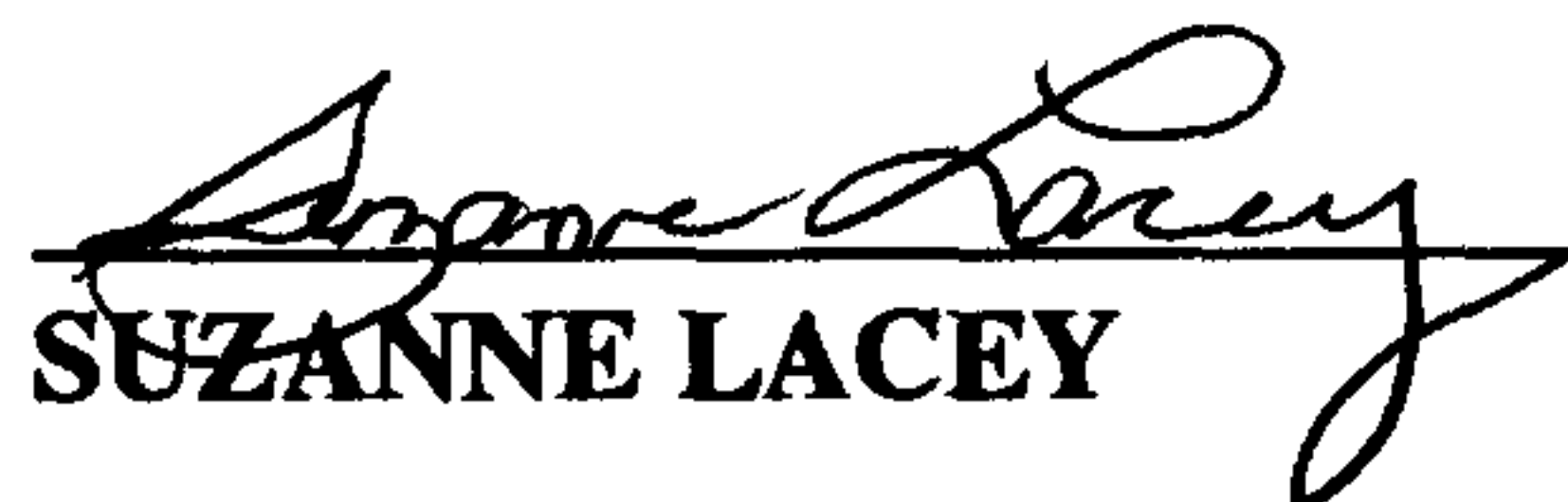
SUBJECT TO:

1. Taxes and assessments for the year 2004 and subsequent years, which are not yet due and payable.
2. Easement for ingress/egress recorded in Deed Book 123, Page 597, and Deed Book 219, Page 284, in the Shelby County Probate Office.
3. Right of way to Alabama Power Company recorded in Deed Book 220, Page 350, and Deed Book 224, Page 189, of the aforesaid office.
4. Coal, oil, gas and other mineral interests in, to or under the land herein described and any mining rights incident thereto.

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

And I do for myself and for my heirs, executors, and administrators covenant with the said Grantee, its successors and assigns, that I am lawfully seized in fee simple of said premises; that it is free from all encumbrances, unless otherwise noted above; that I have a good right to sell and convey the same as aforesaid; that I will and my heirs, executors and administrators shall warrant and defend the same to the said Grantee, its successors and assigns forever, against the lawful claims of all persons.

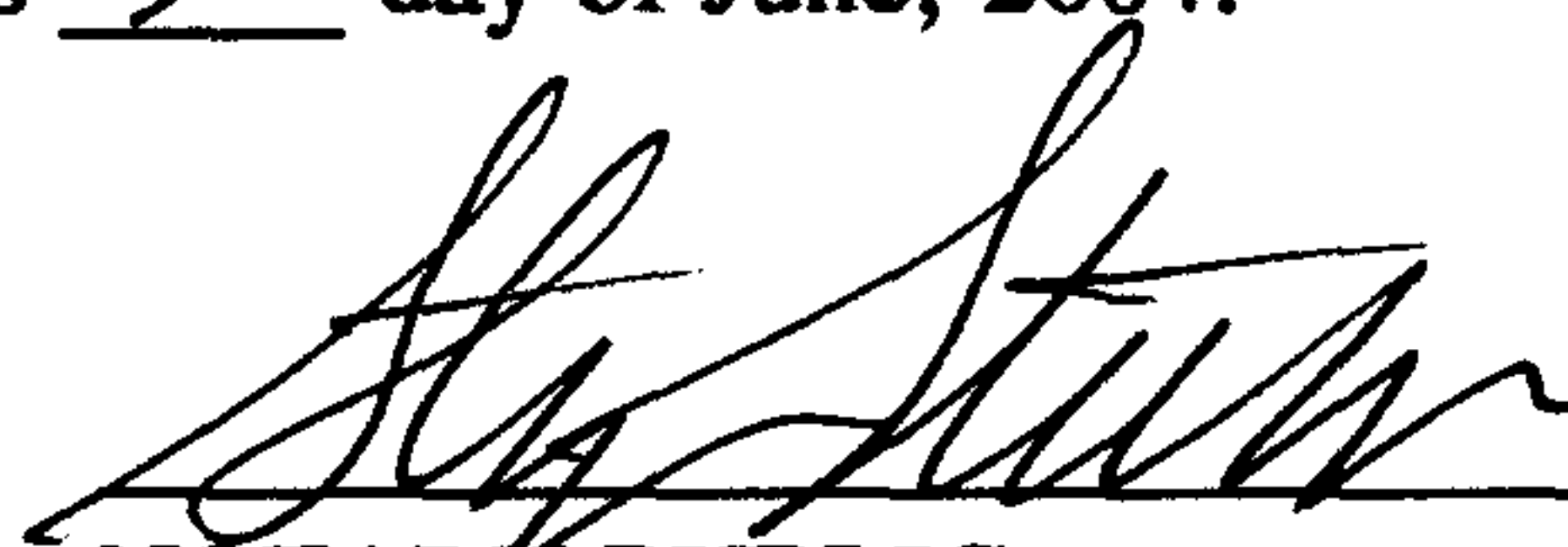
IN WITNESS WHEREOF, I have hereunto set my hand and seal this 3rd day of June, 2004.


SUZANNE LACEY

STATE OF ALABAMA
COUNTY OF SHELBY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that **Suzanne Lacey, an unmarried woman**, whose name 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, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 3rd day of June, 2004.


NOTARY PUBLIC

My Commission Expires: _____

(SEAL) My Commission Expires 1/26/07

EXHIBIT "A"

20040610000314740 Pg 3/3 382.00
Shelby Cnty Judge of Probate, AL
06/10/2004 14:25:00 FILED/CERTIFIED

PARCEL I:

Beginning at the SE corner of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 20, Township 21 South, Range 2 West, thence run West along the South boundary of said SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 20, Township 21 South, Range 2 West, for 91.7 feet more or less, to a point on the East right of way line of the Louisville & Nashville Railroad; thence turn an angle $63^{\circ}10'$ to the right and run Northwesterly along the East right of way line of said Louisville & Nashville Railroad a distance of 1477.75 feet; thence turn an angle of $116^{\circ}50'$ to the right and run East 672.47 feet, more or less, to a point on the East boundary line of the W $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 20, Township 21 South, Range 2 West; thence turn an angle of $86^{\circ}18'$ to the right and run South along the East boundary line of the W $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 20, Township 21 South, Range 2 West for 1322.65 feet, more or less, to the point of beginning.

This being part of the W $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 20, Township 21 South, Range 2 West.

LESS AND EXCEPT from the SE corner of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 20, Township 21 South, Range 2 West, run Northerly along the East boundary line of said SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 20, Township 21 South, Range 2 West for 822.74 feet to the point of beginning of the land herein described; thence continue Northerly along the East boundary line of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 20, Township 21 South, Range 2 West for 180.75 feet; thence turn an angle of $90^{\circ}00'$ to the left and run Westerly for 180.75 feet; thence turn an angle of $90^{\circ}00'$ to the left and run Southerly for 180.75 feet; thence turn an angle of $90^{\circ}00'$ to the left and run Easterly for 180.75 feet, more or less, to the point of beginning.

This being part of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 20, Township 21 South, Range 2 West.

LESS AND EXCEPT:

Commence at the SE corner of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 20, Township 21 South, Range 2 West, and with said point as the point of beginning run West along the South boundary of said $\frac{1}{4}$ - $\frac{1}{4}$ section 91.7 feet, more or less to a point on the East right of way line of the L & N Railroad; thence $63^{\circ}10'$ right and run Northwesterly along the East line of said Railroad right of way a distance of 300 feet; thence Eastwardly to a point on the East line of said $\frac{1}{4}$ - $\frac{1}{4}$ section which point is 300 feet North of the point of beginning; thence South along the East line of said $\frac{1}{4}$ - $\frac{1}{4}$ section 300 feet to the point of beginning.

PARCEL II:

From the Southeast corner of the West half of the NW $\frac{1}{4}$ of Section 20, Township 21 South, Range 2 West, run Northerly along the East boundary line of said W $\frac{1}{2}$ of the NW $\frac{1}{4}$ of said section for 1322.65 feet; thence turn an angle of $86^{\circ}18'$ to the left and run Westerly 400.0 feet to the point of beginning of the land herein described; thence turn an angle of $86^{\circ}18'$ to the right and run Northerly 592.35 feet; thence turn an angle of $103^{\circ}33'$ to the left and run Southwesterly 483.21 feet, more or less, to a point on the East right of way line of the L & N R.R.; thence turn an angle of $99^{\circ}35'$ to the left and run Southeasterly along the East ROW line of said railroad for 501.19 feet; thence turn an angle of $63^{\circ}10'$ to the left and run Easterly 272.47 feet, more or less, to the point of beginning.

This land being a part of the West half of the NW $\frac{1}{4}$ of Section 20, Township 21 South, Range 2 West.

Less and except any part of subject property lying within a railroad right of way.