


THIS INSTRUMENT WAS PREPARED BY:  
Richard W. Theibert, Attorney  
NAJJAR DENABURG, P.C.  
2125 Morris Avenue  
Birmingham, Alabama 35203

  
20040625000347490 Pg 1/4 270.00  
Shelby Cnty Judge of Probate, AL  
06/25/2004 09:48:00 FILED/CERTIFIED

SEND TAX NOTICE TO:  
Edwin B. Lumpkin  
100 Metro Parkway  
Pelham, Alabama 35124

### GENERAL WARRANTY DEED

THE STATE OF ALABAMA )

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF SHELBY )

That in consideration of Two Million Five Hundred Thousand and no/100 Dollars (\$2,500,000.00), in hand paid to the undersigned, Ronald R. Carrocce, an unmarried man, Mark A. Carrocce and Sharon Corrocce, husband and wife, respectively, Troy Carrocce and Melissa L. Carrocce, husband and wife, respectively, and Gary Carrocce and wife, Lucinda Corrocce, husband and wife, respectively (hereinafter referred to as "GRANTOR", the wives set forth above executing this Deed to release their dower interest in the conveyed property), by Edwin B. Lumpkin (hereinafter referred to as "GRANTEE"), the receipt of which is hereby acknowledged, the said GRANTOR does by these presents, grant, bargain, sell and convey unto GRANTEE the following described real estate, located and situated in Shelby County, Alabama, to wit:

See Exhibit "A" which is attached hereto and made a part hereof as if set out fully herein.

SUBJECT TO:

1. Ad valorem taxes for the current year, 2004.
2. Easements, restrictions, and reservations of record.
3. Zoning ordinances and building lines of record and other governmental restrictions;
4. All matters contained in that certain Commitment for Title Insurance issued by First American Title Insurance Company, through its agent The Title Group, Incorporated (except item 5 of Schedule B-Part 1).

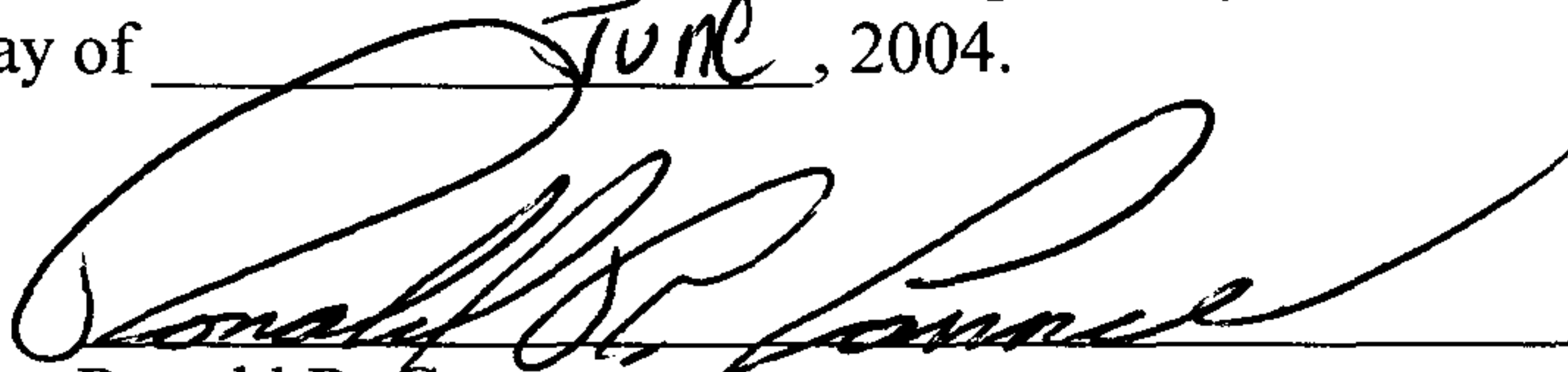
\$2,250,000.00 of the consideration recited above was paid from a mortgage loan closed simultaneously with delivery of this deed.

The property described herein is not the homestead of the grantors or their spouses.

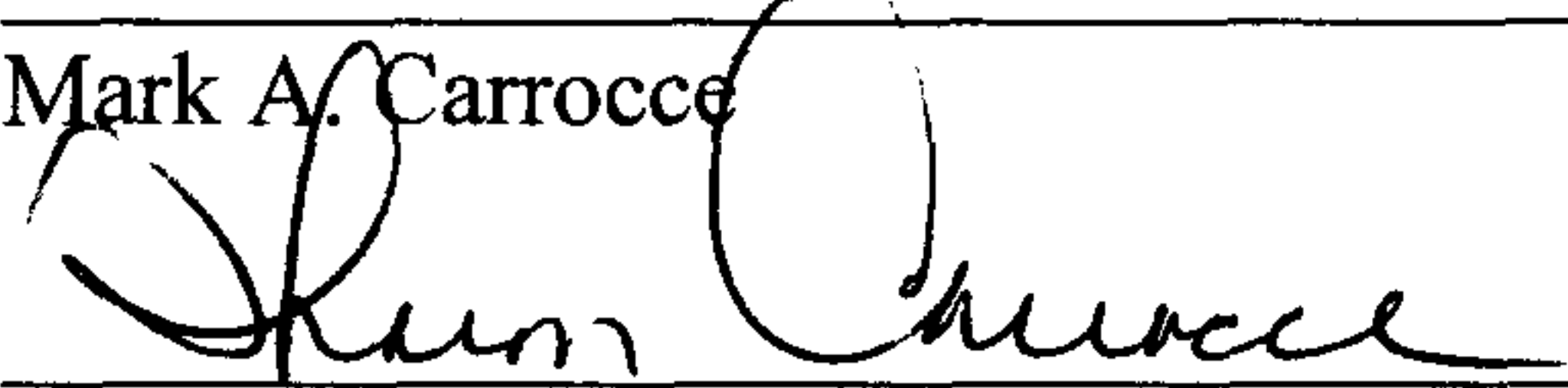
TO HAVE AND TO HOLD to the said GRANTEE, his heirs and assigns forever.


And said Ronald R. Carrocce, Mark A. Carrocce, Troy Carrocce, and Gary Carrocce, do for themselves, their heirs and assigns, covenant with the said GRANTEE, his heirs and assigns, that they are lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above, that they have a good right to sell and convey the same as aforesaid; that they will and their heirs and assigns shall, warrant and defend the same to the said GRANTEE, his heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said Ronald R. Carrocce, Mark A. Carrocce and Sharon Carrocce, husband and wife, respectively, Troy Carrocce and Melissa L. Carrocce, husband and wife, respectively, and Gary Carrocce and Lucinda Carrocce, husband and wife, respectively, have hereto set their signatures and seals, this 17<sup>th</sup> day of JUNE, 2004.

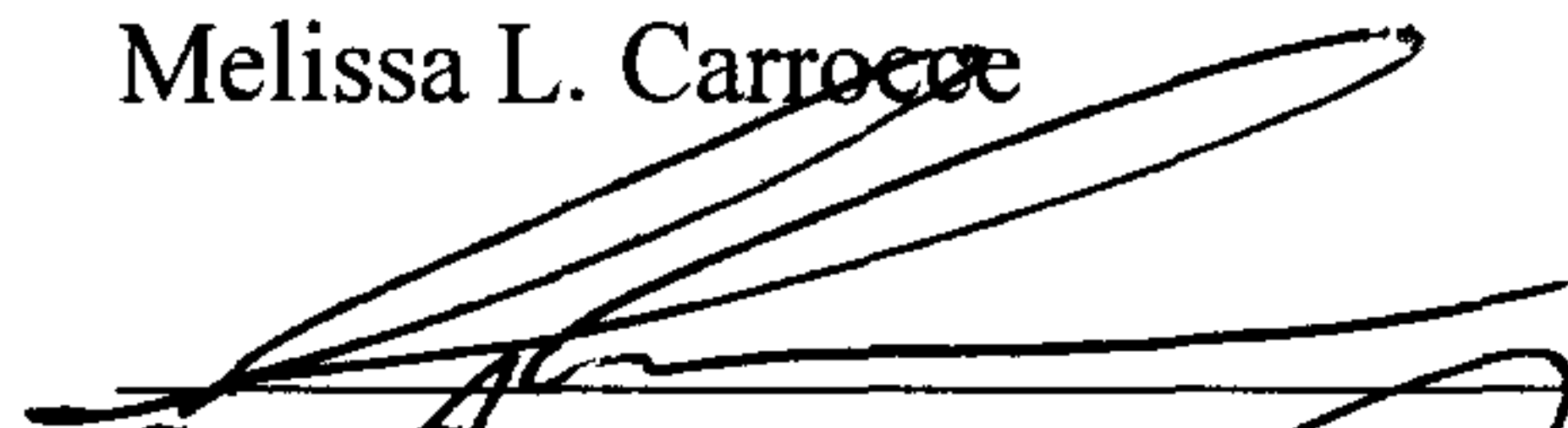
  
\_\_\_\_\_  
Ronald R. Carrocce

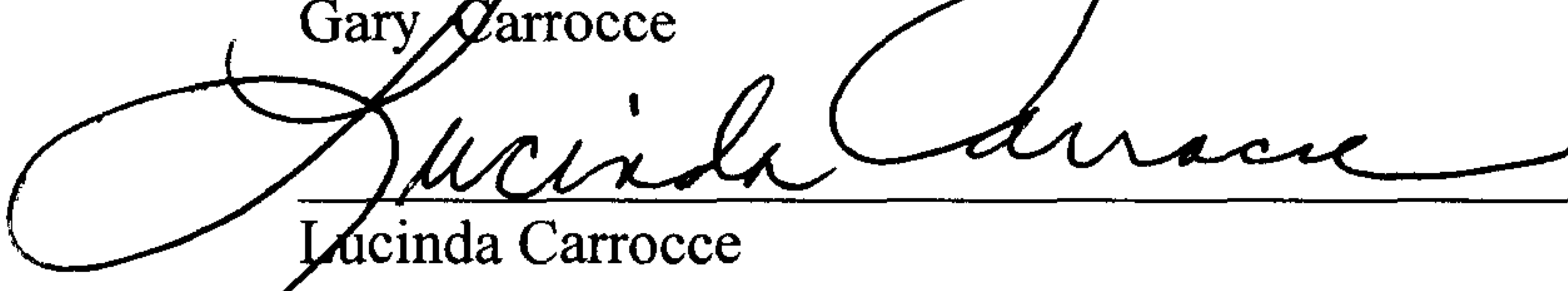
  
\_\_\_\_\_  
Mark A. Carrocce

  
\_\_\_\_\_  
Sharon Carrocce

  
\_\_\_\_\_  
Troy Carrocce

  
\_\_\_\_\_  
Melissa L. Carrocce

  
\_\_\_\_\_  
Gary Carrocce


  
\_\_\_\_\_  
Lucinda Carrocce

GRANTOR

THE STATE OHIO            )  
COUNTY OF MAHONING )

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Ronald R. Carrocce, unmarried, 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, he executed the same voluntarily on the day the same bears date.


Given under my hand and official seal this 17<sup>th</sup> day of June, 2004.

  
\_\_\_\_\_  
NOTARY PUBLIC  
My commission expires: 12/15/08

THE STATE OHIO            )  
COUNTY OF MAHONING )

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Mark A. Carrocce and Sharon Carrocce, husband and wife, respectively, whose names are 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, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 17<sup>th</sup> day of June, 2004.

  
\_\_\_\_\_  
NOTARY PUBLIC  
My commission expires: 12/15/08



THE STATE OHIO                    )  
COUNTY OF MAHONING        )

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Troy Carrocce and Melissa L. Carrocce, husband and wife, respectively, whose names are 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, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 17<sup>th</sup> day of June, 2004.

Beth Ann Bacon  
NOTARY PUBLIC  
My commission expires: 12/15/08

THE STATE OHIO                    )  
COUNTY OF MAHONING        )

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Gary Carrocce and Lucinda Carrocce, husband and wife, respectively, whose names are 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, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 17<sup>th</sup> day of June, 2004.

Beth Ann Bacon  
NOTARY PUBLIC  
My commission expires: 12/15/08



EXHIBIT "A"

Legal Description of Property

20040625000347490 Pg 4/4 270.00  
Shelby Cnty Judge of Probate, AL  
06/25/2004 09:48:00 FILED/CERTIFIED

**PARCEL I:**

All that part of the North Half of the North Half of the Southeast Quarter of the Southwest Quarter of Section 4, Township 22 South, Range 2 West, Shelby County, Alabama, lying North of Shelby County Road No. 84 and lies in the Southeast Quarter of the Southwest Quarter of Section 4, Township 22 South, Range 2 West, Shelby County, Alabama. Being more particularly described as follows:

Beginning at a 5/8" rebar set at the Northeast corner of the Southeast Quarter of the Southwest Quarter of Section 4, Township 22 South, Range 2 West; thence run South 02 degrees 52 minutes 34 seconds East along the East line of said Southeast Quarter a distance of 54.66 feet, more or less, to a 5/8" rebar set where said East line intersects with the North right-of-way Shelby County Road No. 84; thence run South 80 degrees 23 minutes 37 seconds West along said North right-of-way a distance of 88.11 feet, more or less, to a 5/8" rebar set; thence follow an arc along a curve to the right (having a chord bearing and distance of North 89 degrees 48 minutes 51 seconds West and 405.56 feet, more or less, with a radius of 1225.00 feet, more or less) along said right-of-way a curve length of 407.43 feet, more or less, to a 5/8" rebar set; thence run North 80 degrees 17 minutes 10 seconds West along said right-of-way a distance of 404.64 feet, more or less, to a 5/8" rebar set on the North line of said Southeast Quarter; thence run North 89 degrees 33 minutes 32 seconds East along said North line a distance of 934.04 feet, more or less, to the point of beginning and lies in the Southeast Quarter of the Southwest Quarter of Section 4, Township 22 South, Range 2 West, Shelby County, Alabama.

**PARCEL II:**

Beginning at a 5/8" rebar set at the Southeast corner of the Northeast Quarter of the Southwest Quarter of Section 4, Township 22 South, Range 2 West; thence run South 89 degrees 33 minutes 32 seconds West along the South line of said Northeast Quarter a distance of 934.04 feet to a 5/8" rebar set at the North right-of-way of County Road 84; thence along the arc of a curve to the left (having a chord bearing and distance of North 82 degrees 23 minutes 38 seconds West, and 210.86 feet with a radius of 1548.95 feet) along said right-of-way a curve length of 211.03 feet to a 5/8" rebar set at the intersection of said North right-of-way and the East right-of-way of L and N Railroad; thence run North 09 degrees 08 minutes 07 seconds West along said East right-of-way a distance of 170.00 feet to a 5/8" rebar set; thence run South 80 degrees 51 minutes 53 seconds West along said East right-of-way a distance of 25.00 feet to a 5/8" rebar set; thence run North 09 degrees 08 minutes 07 seconds West along said East right-of-way a distance of 1168.87 feet to a 5/8" rebar set at the intersection of said East right-of-way and the South right-of-way of Interstate 65; thence run South 54 degrees 10 minutes 44 seconds East along said South right-of-way a distance of 426.27 feet to a 5/8" rebar set; thence run South 85 degrees 08 minutes 34 seconds East along said South right-of-way a distance of 58.31 feet to a 5/8" rebar set;

thence run South 54 degrees 10 minutes 44 seconds East along said South right-of-way a distance of 1179.94 feet to a 5/8" rebar set at the intersection of said South right-of-way and the East line of the Southwest Quarter of said Section 4; thence run South 02 degrees 52 minutes 34 seconds East a distance of 394.15 feet to a 5/8" rebar set; which is the point of beginning and lying in the Northeast Quarter of the Southwest Quarter of Section 4, Township 22 South, Range 2 West, Shelby County, Alabama.

**PARCEL III:**

Commence at a 5/8" rebar set at the Southeast corner of the Northeast Quarter of the Southwest Quarter of Section 4, Township 22 South, Range 2 West; thence run South 89 degrees 33 minutes 32 seconds West along the South line of said Northeast Quarter a distance of 934.04 feet to a 5/8" rebar set at the North right-of-way of County Road 84; thence along the arc of a curve to the left (having a chord bearing and distance of North 82 degrees 23 minutes 38 seconds West, and 210.86 feet with a radius of 1548.95 feet) along said right-of-way a curve length of 211.03 feet to a 5/8" rebar set at the intersection of said North right-of-way and East right-of-way of L and N Railroad; thence run North 09 degrees 08 minutes 07 seconds West along said East right-of-way a distance of 170.00 feet to a 5/8" rebar set; thence run South 80 degrees 51 minutes 53 seconds West along said East right-of-way a distance of 25.00 feet to a 5/8" rebar set; thence run North 09 degrees 08 minutes 07 seconds West a distance of 456.17 feet to a point at the intersection of said East right-of-way and the North line of the South Half of said Northeast Quarter; thence run South 89 degrees 33 minutes 32 seconds West a distance of 101.16 feet to a 5/8" rebar set at the West right-of-way of L and N Railroad, said point also being the point of beginning; thence continue South 89 degrees 33 minutes 32 seconds West a distance of 21.77 feet to a 5/8" rebar set at the Northwest corner of said South Half; thence run North 02 degrees 52 minutes 34 seconds West along the West line of said Northeast Quarter a distance of 197.43 feet to a 5/8" rebar set at the intersection of said West line and said West right-of-way of L and N Railroad; thence run South 09 degrees 08 minutes 07 seconds East along said West right-of-way a distance of 199.54 feet to a 5/8" rebar set; which is the point of beginning, and lying in the Northeast Quarter of the Southwest Quarter of Section 4, Township 22 South, Range 2 West, Shelby County, Alabama.

Less and except any property in the Northwest Quarter of Section 4, Township 22 South, Range 2 West.

All being situated in Shelby County, Alabama.