



20041208000672250 Pg 1/11 3,906.50  
Shelby Cnty Judge of Probate, AL  
12/08/2004 14:51:00 FILED/CERTIFIED

STATUTORY WARRANTY DEED

STATE OF ALABAMA

COUNTY OF SHELBY

*in consideration  
3,865,070<sup>00</sup> (RL)*

KNOW ALL MEN BY THESE PRESENTS: That GREAT EASTERN TIMBER COMPANY LLC, a Delaware limited liability company, whose principal place of business is c/o Hancock Natural Resource Group, Inc., 99 High Street, 26th Floor, Boston, MA 02110-2320, hereinafter called "Grantor", for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration hereby acknowledged to have been paid to the said Grantor by HEADWATERS INVESTMENTS CORPORATION, a Delaware nonstock corporation, whose principal place of business is c/o Forest Investment Associates LP, Attention: Charles L. VanOver, 15 Piedmont Center, Suite 1250, Atlanta, Georgia 30305, hereinafter called "Grantee", does hereby GRANT, BARGAIN, SELL and CONVEY unto said Grantee, the following described real property, to wit:

All those tracts or parcels of land and standing timber thereon lying and being in Shelby County, Alabama (the "Property"), and being more particularly described in Exhibit "A" attached hereto and by this reference made apart hereof together with all of Grantor's right, title and interest in and to all buildings, structures, standing timber and other improvements located thereon and to the extent owned by Grantor, all oil, gas and mineral rights and interests with respect thereto.

The Property described hereunder are hereby conveyed "as is," by the tract and not by the


acre, the acreage not being guaranteed by the Grantor, and are also conveyed subject to: (i) encumbrances of record (but not including any mortgages or deeds of trust or other monetary liens), (ii) current and subsequent taxes, not yet due and payable (iii) all other matters which an accurate survey would show applicable to or affecting the Property, which are not evidenced by an unrecorded written agreement to which Grantor is a party, and (iv) the Permitted Encumbrances, as defined below. Permitted Encumbrances shall mean all those certain items which affect or encumber the Property and as identified on Exhibit B attached hereto and incorporated herein by reference.

TOGETHER with all and singular the rights, members, privileges, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

TO HAVE AND TO HOLD unto the said Grantee and unto Grantee's successors and assigns forever.

AND, Grantor does hereby warrant and forever defend all and singular the said Property unto the Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof by, through or under it, except as aforesaid, but against none other.

**[Signatures begin on following page.]**

 **SANDRA L. SILBERT**  
Notary Public  
Commonwealth of Massachusetts  
My Commission Expires Jul 30, 2010

**Exhibit A**

**“Property”**



## **EXHIBIT "A"**

**The following described property situated in Shelby County, Alabama:**

### **Township 24 North, Range 11 East**

All of Section	1	24 North	11 East
All of Section	2	24 North	11 East
West 1/2 of the Northwest 1/4	11	24 North	11 East
East 1/2 of the Northeast 1/4	11	24 North	11 East
Northwest 1/4 of the Northeast 1/4	11	24 North	11 East
Northeast 1/4 of the Northwest 1/4	11	24 North	11 East
North 1/2	12	24 North	11 East
North 1/2 of the Southwest 1/4	12	24 North	11 East
Northwest 1/4 of the Southeast 1/4	12	24 North	11 East
That portion of the Northeast 1/4 of the Southeast 1/4 and the Southeast 1/4 of the Southeast 1/4 and the Southwest 1/4 of the Southeast 1/4, located North of Shoal Creek	12	24 North	11 East

### **Township 24 North, Range 14 East**

South 1/2 of the Southeast 1/4	4	24 North	14 East
Southeast 1/4 of Southwest 1/4	4	24 North	14 East

### **Township 22 South, Range 3 West**

Northwest 1/4 of the Northeast 1/4	7	22 South	3 West
Northwest 1/4	7	22 South	3 West
Southwest 1/4	7	22 South	3 West
Southwest 1/4 of the Southeast 1/4	7	22 South	3 West
West 1/2 of the Northwest 1/4	18	22 South	3 West
West 1/2 of the Southwest 1/4	18	22 South	3 West
North 1/2 of the Northeast 1/4 of the Southwest 1/4 lying west of old Montevallo-Tuscaloosa dirt road	18	22 South	3 West

## **EXHIBIT "A"**

A part in the southwest corner of the East 1/2 of the Northwest 1/4, (being 8 or 10 acres, more or less) described as follows: commencing at the southwest corner of the E 1/2 of the NW 1/4 and running northeast about 150 yards (450 feet) to a certain spring; thence down said spring branch 50 yards (150 feet); thence direct to the Tuscaloosa Road; thence down said Tuscaloosa Road about 150 yards (450 feet) to the south boundary of the SE 1/4 of NW 1/4; thence west along the line between the NW 1/4 and the SW 1/4 of said Section 18 to the beginning.

18      22 South      3 West

A parcel of land located in Section 18 and Section 19, being described as follows: Beginning at the southeast corner of the SW 1/4 of the SW 1/4 of Section 19, go north along the east line of said SW 1/4 of SW 1/4 for 362.79 feet; thence right 55 deg. 25 min. for 160.88 feet; thence left 25 deg. 35 min. for 140.10 feet; thence left 115 deg. 11 min. for 202.83 feet to said east line; thence north along said east line 19.87 feet; thence left 67 deg. 03 min. for 71.90 feet; thence right 40 deg. 05 min. for 85.73 feet; thence right 25 deg. 53 min. for 20.0 feet; thence left 35 deg. 22 min. for 124.14 feet; thence left 37 deg. 28 min. for 105.68 feet; thence right 16 deg. 23 min. for 131.60 feet; thence right 118 deg. 05 min. for 271.44 feet; thence left 10 deg. 15 min. for 122.62 feet; thence left 4 deg. 48 min. for 85.18 feet to said east line of SW 1/4 of SW 1/4; thence left 45 deg. 29 min. for 134.30 feet to the northeast corner of said SW 1/4 of SW 1/4; thence right 91 deg. 26 min. for 81.15 feet to the west line of lot 4, block 8, Thomas Addition to the Town of Aldrich, map of which is recorded in the Office of the Judge of Probate of Shelby County, Alabama; thence left 121 deg. 00 min. for 63.37 feet along west line of said lot 4; thence right 98 deg. 57 min. for 270 feet; thence left 112 deg. 04 min. for 161.10 feet; thence right 93 deg. 26 min. for 290.90 feet; thence left 90 deg. 10 min. for 123.71 feet; thence right 4 deg. 13 min. for 562.11 feet; thence left 61 deg. 41 min. for 16.26 feet; thence right 12 deg. 48 min. for 315.73 feet; thence left 95 deg. 56 min. for 296.12 feet; thence left 61 deg. 22 min. for 358.61 feet to the east line of the NW 1/4 of SW 1/4 of said Section 19; thence south along said east line for 157.72 feet; thence right 102 deg. 49 min. for 324.50 feet; thence right 90 deg. for 20.1 feet; thence left 62 deg. 26 min. for 355.95 feet; thence left 22 deg. 27 min. for 125.53 feet; thence left 10 deg. 16 min. for 187.42 feet; thence right 90 deg. for 364.08 feet; thence right 90 deg. for 326.91 feet; thence left 89 deg. 54 min. for 606.58 feet; thence right 28 deg. 35 min. for 350.0 feet; thence left 90 deg. for 150.0 feet; thence right 71 deg. 32 min. to the public road; thence in an easterly direction along the public road to the intersection of the north line of the public road with the south line of lot 2, block 3, said Thomas' Addition to the Town of Aldrich; thence northwest along the south line of said lot 2 for 298.39 feet; thence right 86 deg. 13

18      22 South      3 West  
19      22 South      3 West



## **EXHIBIT "A"**

min. for 205.65 feet along the west side of said lot 2; thence easterly along the north line of said lot 2 for 208 feet; thence easterly along the north line of Summit Park "B" for 398 feet to the northwest corner of lot 6, block 2, of said Thomas' Addition to the Town of Aldrich; thence looking east along the north line of said lot 6, block 2; turn an angle to the left of 65 deg. 18 min. for 303.48 feet; thence right 0 deg. 19 min. for 580.46 feet; thence left 85 deg. 55 min. for 696.48 feet; thence right 54 deg. 16 min. for 109.50 feet; thence right 5 deg. 22 min. for 636.67 feet; thence right 33 deg. 50 min. for 173.78 feet to the center line of Davis Creek; thence east along the center line of Davis Creek to the east line of the SE 1/4 of SW 1/4, Section 18; thence north along said east line to the northeast corner of said SE 1/4 of SW 1/4; thence west along the north line of said SE 1/4 of SW 1/4 to northwest corner of said forty; thence south along west line of said forty to north line of Section 19; thence west to northwest corner of said Section 19; thence south to southwest corner of said Section 19; thence east to the point of beginning. EXCEPT the following described tract(s): Begin at the northwest corner of SE 1/4 of SW 1/4, Section 19, and run south 798 feet along the west side of said forty to the point of beginning of parcel being excepted; thence turning an angle of 70 deg. right run a distance of 40 feet to the northwest corner of church lot; thence turning an angle of 90 deg. left run a distance of 80 feet to the southwest corner; thence turning an angle of 90 deg. left run a distance of 100 feet to the southeast corner; thence turning an angle of 90 deg. left run a distance of 80 feet to the northeast corner; thence turning an angle of 90 deg. left, run 60 feet back to the point of beginning of herein excepted parcel.

### **Township 21 South, Range 4 West**

Northeast 1/4 of the Northwest 1/4	33	21 South	4 West
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### **Township 22 South, Range 4 West**

North 1/2 of the Northeast 1/4	12	22 South	4 West
Southeast 1/4 of the Northeast 1/4	12	22 South	4 West

## **EXHIBIT "A"**

North 1/2 of the Northwest 1/4

12

22 South

4 West

LESS AND EXCEPT the following described parcel:

Commence at the southwest corner of the NW 1/4 of NW 1/4, Section 12, and run east along the south line of said 1/4-1/4 section to its intersection with the east right of way line of County Highway No. 10, this being the point of beginning of excepted parcel; from the point of beginning, continue east and along the south line of said 1/4-1/4 section for a distance of 140.0 feet to a point; thence turn an angle of 90 deg. to the left and run a distance of 264.0 feet to a point; thence turn an angle of 102 deg. to the left and run a distance of 245.0 feet to the east right of way line of Highway No. 10; thence run in a southerly direction and along the east right of way line of said highway to the point of beginning.

**LESS AND EXCEPT that portion conveyed to Christian Mission Church by Deed dated July 19, 2002, described as follows:**

**Shelby County, Alabama**

**Section 12, Township 22 South, Range 4 West**

**Commence at the southwest corner of the northwest quarter of the Northwest quarter of Section 12, Township 22 south, Range 4 west Shelby County, Alabama and run thence N 89°29' 09" E along the South line of said quarter-quarter section a distance of 274.88' to a Set rebar corner and the point of beginning of the property being Described; Thence continue along last described course a distance of 170.35" to a set Rebar corner; Thence run N 00°30' 52" W a distance of 314.94' to a set steel rebar corner; Thence run S 89 ° 29' 09" W a distance of 434.52' to a set rebar corner on the easterly margin of Highway # 10; Thence run S 22° 01' 53" E along said margin of said Highway a distance of 106.21' to a set rebar corner; Thence run N 77° 29' 09" E a distance of 230.24' to a set rebar corner; Thence Run S 00°30'51" E a distance of 264.00' to the point of beginning, Containing 1.66 acres.**



## **EXHIBIT "A"**

East 1/2 of the Southeast 1/4	12	22 South	4 West
Southwest 1/4 of the Northeast 1/4	12	22 South	4 West
West 1/2 of the Southeast 1/4	12	22 South	4 West
Southeast 1/4 of the Northwest 1/4	12	22 South	4 West
East 1/2 of the Southwest 1/4	12	22 South	4 West
Northeast 1/4 of the Southwest 1/4 of the Northwest 1/4	12	22 South	4 West
East 1/2 of the Northwest 1/4	13	22 South	4 West
Northeast 1/4 of the Southwest 1/4	13	22 South	4 West
Southeast 1/4 of the Southwest 1/4	13	22 South	4 West
Southwest 1/4 of Southwest 1/4	13	22 South	4 West
Southeast 1/4	13	22 South	4 West
East 1/2 of the Northeast 1/4	13	22 South	4 West
Southwest 1/4 of the Northeast 1/4	13	22 South	4 West
East 1/2 of Northwest 1/4 of the Northwest 1/4	13	22 South	4 West
Southeast 1/4 of the Southwest 1/4 of Northwest 1/4	13	22 South	4 West
Northwest 1/4 of the Northeast 1/4	13	22 South	4 West
South 1/2	24	22 South	4 West
West 1/2 of the Northwest 1/4	24	22 South	4 West
Southeast 1/4 of the Northwest 1/4	24	22 South	4 West
Northeast 1/4 of the Northwest 1/4	24	22 South	4 West
Southwest 1/4 of the Northeast 1/4	24	22 South	4 West
Northwest 1/4 of the Northeast 1/4	24	22 South	4 West
Northeast 1/4 of the Northeast 1/4	24	22 South	4 West
Southeast 1/4 of the Northeast 1/4	24	22 South	4 West
East 1/2 of Fractional Section	26	22 South	4 West
Fractional Northwest 1/4 "B" of Section	26	22 South	4 West
Fractional Northeast 1/4 "A" of Section	27	22 South	4 West

## EXHIBIT "A"

BEING a portion of the property conveyed to the Grantor herein by Statutory Warranty Deed dated February 10, 2000 and recorded in the Office of the Probate Judge for Shelby County, Alabama as Instrument No. 2000-04450 and by Corrective Statutory Deed dated June 18, 2001, recorded with said Probate Court as Instrument No. 2001-27341.

**Exhibit B**

**“Permitted Encumbrances”**

All Schedule B-2 exceptions set forth in that certain Title Commitment issued by Stewart Title Guaranty Company, which commitment is designated as Commitment Number \_\_\_\_\_, which exceptions are incorporated herein by reference.

T-68760SHELBY