

Send Tax Notice To:
M. D. Henry Company, Inc.
120 Clark Drive
Pelham, Alabama 35124

STATE OF ALABAMA)
)
SHELBY COUNTY)

1500000

STATUTORY WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that for and in consideration of the sum of One and 00/100 Dollars (\$1.00) and other good and valuable consideration, paid in hand to **THE INDUSTRIAL DEVELOPMENT BOARD OF THE CITY OF PELHAM**, a public corporation and instrumentality under the laws of the State of Alabama (herein called the "Grantor"), by **M. D. HENRY COMPANY, INC.**, an Alabama corporation (herein called the "Grantee"), the receipt and sufficiency of which are hereby acknowledged, the said Grantor does by these presents grant, bargain, sell and convey unto the said Grantee the following described real property, together with all improvements thereon, situated in Shelby County, Alabama, to-wit:

Parcel I:

Commence at the SE corner of the NE1/4 of the NE1/4 of Section 23, Township 20 South, Range 3 West, Shelby County, Alabama; thence run in a Westerly direction along the South line of said quarter-quarter a distance of 812.44 feet to a point on the Westerly right of way line of a public road; thence turn an angle to the left of 109 deg. 37 min. 18 sec. and run in a Southeasterly direction along said Westerly right of way of said public road a distance of 402.86 feet; thence turn an angle to the right of 93 deg. 31 min. 30 sec. and run in a Southwesterly direction 430.14 feet to the point of beginning; thence turn an angle to the right of 86 deg. 12 min. and run in a Northwesterly direction 417.0 feet; thence 86 deg. 12 min. to the left and run in a Southwesterly direction 325.0 feet to a point on the Easterly right of way line of a public road; thence 93 deg. 48 min. to the left and run in a Southeasterly direction along said Easterly right of way line of said public road a distance of 417.0 feet; thence 86 deg. 12 min. to the left and run in a Northeasterly direction 325.0 feet to the point of beginning, subject to easements and rights of way of record.

Parcel II:

Lot 7-B and 8-B according to a resurvey of Ralph Tully Industrial Park as recorded in Map Book 6, Page 89, in the Office of the Judge of Probate of Shelby County, Alabama;

together with all easements, licenses, privileges, hereditaments and appurtenances belonging or in any way pertaining thereto; subject, however, to all rights-of-ways, easements, liens, mineral rights, covenants running with the land, restrictions, reservations and encumbrances appearing of record in the Office of the Judge of Probate of Shelby County, Alabama.

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

And the Grantor does for itself, its successors and assigns, covenant with the Grantee, its successors and assigns, (i) that the above-described real property is free and clear from all encumbrances whatsoever created by, from, through or under the Grantor (except those encumbrances to the creation of which the Grantee under the Lease Agreement hereinafter referred to or any tenant holding the same thereunder has consented and those encumbrances resulting from the failure of the Grantee to perform or observe any of the agreements or covenants on the part of the lessee contained in that certain Lease Agreement between the Grantor and the Grantee dated as of May 1, 1989, and heretofore recorded in the office of the Judge of Probate of Shelby County, Alabama, in Book 240, Page 337), and (ii) that the Grantor will forever warrant and defend the same, with the appurtenances thereunto belonging, unto the Grantee, its successors and assigns, against all lawful claims of all persons claiming by, through or under the Grantor except as hereinabove stated.

IN WITNESS WHEREOF, the Grantor has caused this conveyance to be executed in its name and behalf, has caused its corporate seal to be hereunto affixed, and has caused this conveyance to be attested, all by its duly and properly authorized officer on the 9 day of ~~November~~, 2004.

December MB

**THE INDUSTRIAL DEVELOPMENT BOARD
OF THE CITY OF PELHAM**

BY: *Tillman T. Eversoy*

Name: *Tillman T. Eversoy*

Its: Chairman of its Board of Directors

ATTEST:

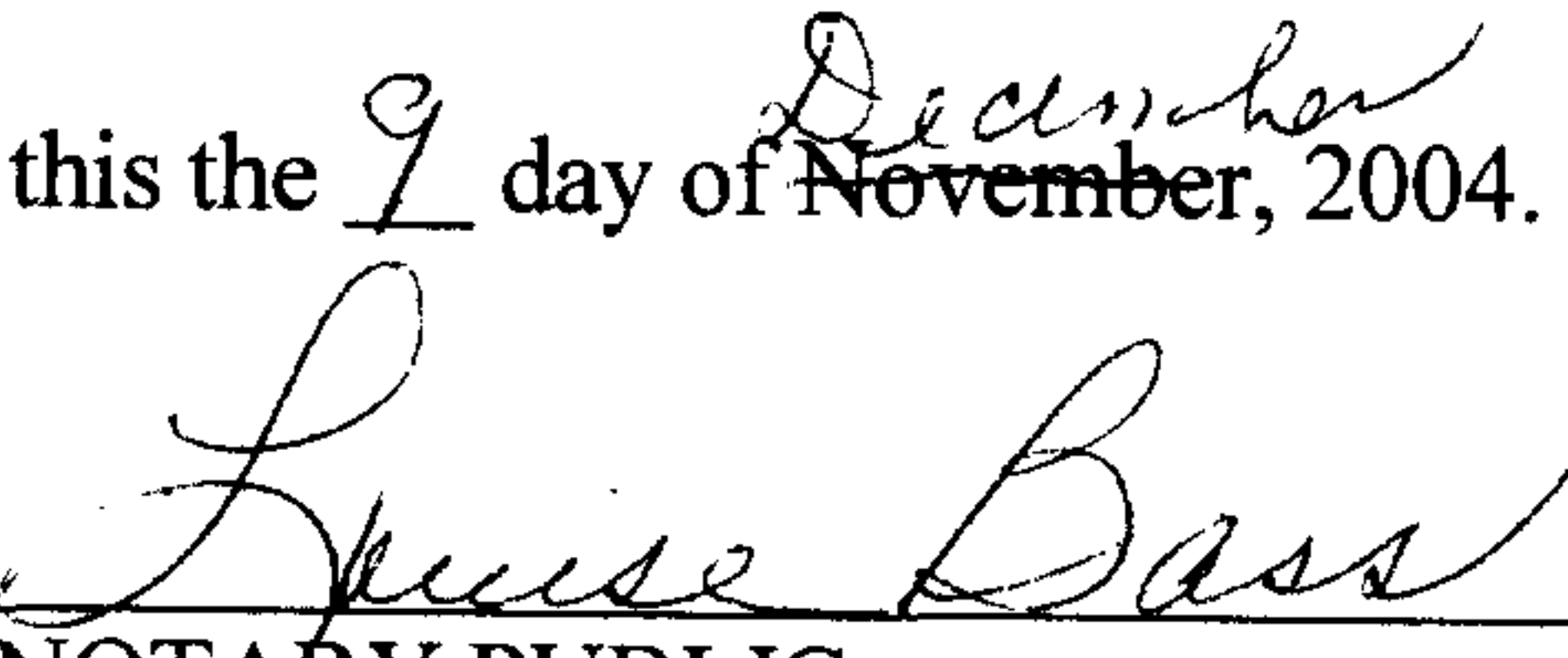
BY: *Michael Smith*
Its: Secretary

[SEAL]

STATE OF ALABAMA)
)
SHELBY COUNTY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that _____, whose name as Chairman of the Board of Directors of **THE INDUSTRIAL DEVELOPMENT BOARD OF THE CITY OF PELHAM**, a public corporation and instrumentality under the laws of the State of Alabama, 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 said instrument, he, as such officer and with full authority, executed the same voluntarily on the day the same bears date for and as the act of said public corporation.

Given under my hand and official seal this the 9 day of ^{December}~~November~~, 2004.



NOTARY PUBLIC

[AFFIX NOTARY SEAL]

My Commission Expires: _____

MY COMMISSION EXPIRES
NOVEMBER 29, 2008

THIS INSTRUMENT PREPARED BY:
Kelly Worman
Baker, Donelson, Bearman, Caldwell & Berkowitz
A Professional Corporation
1600 SouthTrust Tower
Birmingham, Alabama 35203