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Shelby Cnty Judge of Probate, AL  
08/17/2006 08:05:02AM FILED/CERT

**THIS INSTRUMENT PREPARED BY:**

**James J. Odom, Jr.**  
**P.O. Box 11244**  
**Birmingham, AL 35202-1244**

**SEND TAX NOTICE TO:**

**M & FS Holdings, L.L.C.**  
**1115 Hardwood Cove Road**  
**Birmingham, AL 35242**

**STATE OF ALABAMA )**  
**COUNTY OF SHELBY )**

**WARRANTY DEED**

**KNOW ALL MEN BY THESE PRESENTS THAT** in consideration of One Million One Hundred Fifty Thousand and No/100 (\$1,150,000.00) Dollars to the undersigned grantor, Associated Hunter Brothers d/b/a Hunter Farms, an Iowa general partnership, in hand paid by M & FS Holdings, L.L.C., the receipt whereof is hereby acknowledged, Associated Hunter Brothers d/b/a Hunter Farms, an Iowa general partnership ("Grantor"), does by these presents, grant, bargain, sell and convey unto M & SF Holdings, L.L.C. ( "Grantee"), the following described real estate, situated in Shelby County, Alabama, to-wit:

Commence at the SE corner of the SE 1/4 of Section 24, Township 20 South, Range 3 West; thence run Westerly along the south line thereof for 782.20 feet to the easterly R/W of U.S. Highway #65; thence 83 deg. 15 min. 13 sec. right run Northerly along said R/W for 19.81 feet to a conc. monument; thence 2 deg. 27 min 55 sec right continue along said R/W for 570.00 feet; thence 11 deg. 56 min 12 sec right continue along said R/W for 149.40 feet; thence 10 deg. 28 min. 49 sec. left along said R/W for 200.00 feet to the Point of Beginning; thence continue last described course for 304.58 feet to an iron pipe; thence 15 deg. 00 min. 15 sec. right run along said R/W for 213.53 feet to a conc. monument; thence 10 deg. 26 min. 32 sec. left continue along said R/W for 232.04 feet to the centerline of a creek; thence 96 deg. 53 min. 54 sec. right run Easterly along said creek for 239.84 feet to center of 3 culverts and the westerly R/W of McCain Parkway and a curve concaved easterly (having a radius of 874.69 feet and a central angle of 8 deg. 00 min. 32 sec. ); thence 85 deg. 16 min. 46 sec. right to chord of said curve run Southerly along said curve and R/W for 122.27 feet; thence continue along said R/W and tangent to said curve for 565.27 feet; thence 85 deg. 26 min. 15 sec. right run Westerly for 267.62 feet to the point of beginning.

**SUBJECT TO:** (1) Current taxes; (2) Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto, together with any release of liability for injury or damage to persons or property as a result of the exercise of such rights as



recorded in Deed Book 23, at Page 525, in the Probate Office; (3) Right of way to Alabama Power Company as set out in instrument recorded in Deed Book 126, at Page 292, in the Probate Office; (4) Right of way and easement to City of Pelham in Real Volume 64, at Page 312; (5) Right of way in favor of South Central Bell Telephone Company by instrument recorded in Real Volume 119, at Page 870, in the Probate Office; (6) Denial of all existing, future or potential common law or statutory rights of access between subject property and Interstate I-65; (7) Less and except any part of subject property lying within the right of way of a public road; (8) Easement to City of Pelham in Instrument #1999-18778 in the Probate Office; (9) Rights of interested parties under outstanding unrecorded leases.

The purchase price recited above was paid from the proceeds of a mortgage loan closed simultaneously herewith.

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

And Grantor does for itself, its successors and assigns, covenant with Grantee, its successors and assigns, that it is lawfully seized in fee simple of said premises; that the premises are free from all encumbrances, unless otherwise noted above; that it has a good right to sell and convey the same as aforesaid; that it will, and its successors and assigns shall, warrant and defend the same to the Grantee, its successors and assigns forever, against the lawful claims of all persons.

**IN WITNESS WHEREOF**, the undersigned has caused this instrument to be executed on this the 9 day of August, 2006.

**WITNESSES:**

*Margaret Sims*  
*Margaret Sims*  
*Margaret Sims*

**Associated Hunter Brothers d/b/a Hunter Farms  
an Iowa general partnership**

By: *Robert P. Hunter*  
Robert P. Hunter, as its General Partner

By: *Richard N. Hunter*  
Richard N. Hunter, as its General Partner

By: *Gary G. Hunter*  
Gary G. Hunter, as its General Partner

STATE OF IOWA )  
COUNTY OF Greene )

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Robert P. Hunter, Richard N. Hunter and Gary G. Hunter, whose names as General Partners of Associated Hunter Brothers d/b/a Hunter Farms, an Iowa general partnership, are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, they, as such General Partners and with full authority, executed the same voluntarily for and as the act of said general partnership.

Given under my hand and seal this 9 day of August, 2006.

Marjorie Sims  
Notary Public

My Commission Expires: 6-6-08

