

THE STATE OF ALABAMA  
SHELBY COUNTY

FIRST RIGHT OF REFUSAL

FOR VALUE RECEIVED, the receipt, adequacy and sufficiency whereof are hereby acknowledged, the undersigned, James V. Thomas, III, and Lisa R. Thomas, do hereby grant, give, and extend unto Claude Farley Lavett, Jr., and Vicki T. Lavett, the first right of refusal for a period of two (2) years from the date hereof to purchase the following-described real property, located and situated in Shelby County, Alabama, to-wit:

South 1/2 of the SE 1/4 of the SE 1/4 of Section 4 and the West 1/2 of the N 1/2 of the NE 1/4 of the NE 1/4 of Section 9, both in Township 21 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows:

Beginning at an existing railroad rail being the locally accepted southeast corner of said Section 4, run in a northerly direction along the east line of said Section 4 for a distance of 665.0 feet to an existing iron rebar; thence turn an angle to the left of 86°43'13" and run in a westerly direction for a distance of 153.11 feet to an existing old iron rebar; thence turn an angle to the left of 0°39'21" and run in a westerly direction for a distance of 71.42 feet to an existing iron rebar; thence turn an angle to the right of 0°26'47" and run in a westerly direction for a distance of 1097.42 feet to an existing 2" capped pipe; thence turn an angle to the left of 93°09'51" and run in a southerly direction for a distance of 662.17 feet to an existing 2" capped pipe; thence turn an angle to the right of 0°22'17" and run in a southerly direction for a distance of 665.67 feet to an existing iron rebar set by Weygand; thence turn an angle to the left of 87°09'23" and run in an easterly direction for a distance of 661.80 feet to an existing iron rebar set by Weygand; thence turn an angle to the left of 92°57'30" and run in a northerly direction for a



distance of 664.88 feet to an existing iron rebar set by Weygand and being on the south line of said Section 4; thence turn an angle to the right of 93°01'59" and run in an easterly direction along the south line of said Section 4 for a distance of 660.51 feet, more or less, to the point of beginning.

LESS AND EXCEPT, the following described real property:

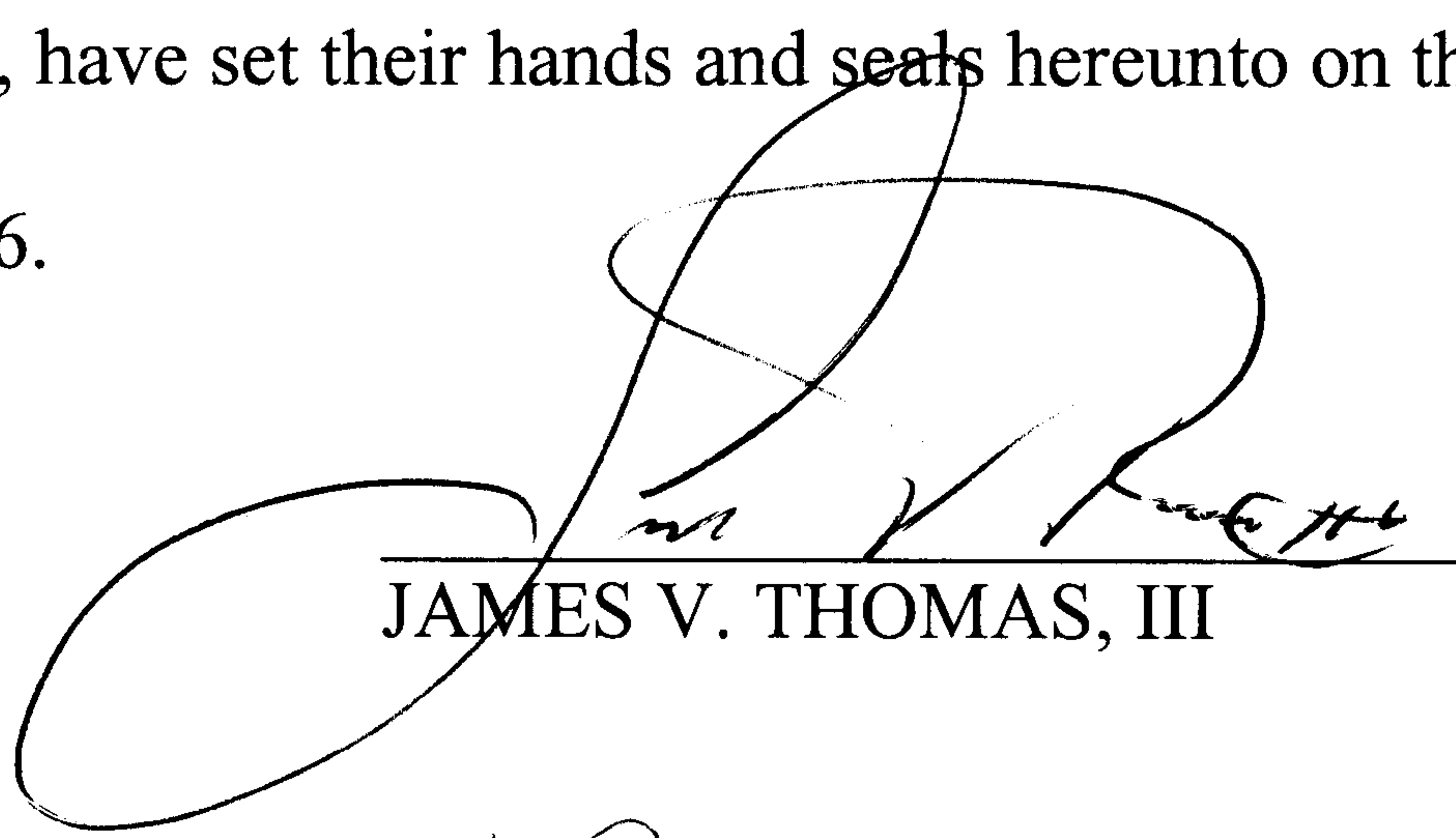
Part of the SE 1/4 of the SE 1/4 of Section 4, Township 21 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows:


Beginning at an existing railroad rail being the locally accepted Southeast corner of said Section 4, run in a Westerly direction along the South line of said Section 4 for a distance of 660.51 feet to an existing iron rebar set by Weygand; thence turn an angle to the right of 86°58'01" and run in a Northerly direction for a distance of 75.0 feet to an existing iron rebar set by Weygand; thence turn an angle to the right of 93°02'03" and run in an Easterly direction for a distance of 660.26 feet to an existing iron rebar set by Weygand and being on the East line of the SE 1/4 of the SE 1/4 of said Section 4; thence turn an angle to the right of 86°46'36" and run in a Southerly direction along the East line of said 1/4-1/4 section for a distance of 75.0 feet, more or less, to the point of beginning. Containing 1.135 acres, more or less.

The first right of refusal granted herein shall expire and terminate two years from the date hereof.

Time, whenever, however, and wherever, used herein shall be of the essence.

IN WITNESS WHEREOF, the undersigned, James V. Thomas, III,  
and Lisa R. Thomas, have set their hands and seals hereunto on this the 31  
day of October, 2006.


 (SEAL)  
JAMES V. THOMAS, III

 (SEAL)  
LISA R. THOMAS

THE STATE OF ALABAMA  
CULLMAN COUNTY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that James V. Thomas, III, and Lisa R. Thomas, whose names are signed to the foregoing First Right of Refusal and who are known to me, acknowledged before me on this day that, being informed of the contents of same, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 31 day of  
October, 2006.

  
NOTARY PUBLIC  
My Commission Expires: 10/31/09