20070430000199400 1/3 $18.00
Shelby Cnty Judge of Probate, AL
04/30/2007 03:46:45PM FILED/CERT

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was prepared by:

R. Shan Paden
PADEN & PADEN, PC
Five Riverchase Ridge
Birmingham, Alabama 35244

SEND TAX NOTICE TO:

NSH CORP.

STATE OF ALABAMA
COUNTY OF Shelby

STATUTORY WARRANTY DEED

Know All Men by These Presents: That in consideration of ONE MILLION THREE HUNDRED FIFTY THOUSAND DOLLARS 00/100 ($1,350,000.00) DOLLARS to the undersigned grantor, **RIVERWOODS PROPERTIES, LLC**, in hand paid by the GRANTEES herein, the receipt of which is hereby acknowledged, the said GRANTOR, does by these presents, grant, bargain, sell and convey unto **NSH CORP.**, (herein referred to as GRANTEES, the following described real estate, situated in **Shelby** County, Alabama, to-wit:

Part of the SE 1/4 of Section 6 and the NE 1/4 and the NW 1/4 of Section 7, both in Township 20 South, Range 3 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the Southeast corner of Section 6, Township 20 South, Range 3 West, said point being the Southeast corner of Lot 7, Amended Map of Southpointe Eighth Sector as recorded in Map Book 15, page 109, in the Probate Office of Shelby County, Alabama and run in a Westerly direction along the South line of said Section 6 and the South line of Lot 7 and Lot 8 of said subdivision a distance of 400.65 feet to the Point of Beginning of the parcel herein described; thence 60°16'40" to the left in a Southwesterly direction a distance of 2075.53 feet to a point; thence 39°49'06" to the right in a Southwesterly direction a distance of 322.95 feet to a point; thence 3°50'38" to the left in a Southwesterly direction a distance of 332.29 feet to a point; thence 20°35'59" to the left in a Southwesterly direction a distance of 561.82 feet to a point; thence 81°03'14" to the right in a Northwesterly direction a distance of 376.81 feet to a point; thence 81°09'03" to the right in a Northeasterly direction a distance of 625.66 feet to a point; thence 2°40'32" to the left in a Northeasterly direction a distance of 602.38 feet to a point; thence 9°32'26" to the right in a Northwesterly direction a distance of 722.17 feet to a point; thence 9°41'31" to the left in a Northeasterly direction a distance of 361.52 feet to a point; thence 9°18'19" to the right in a Northeasterly direction a distance of 662.81 feet to a point; said point being the Southwest corner of Lot 18, Southpointe Sixth Sector Phase One as recorded in Map Book 14, page 85, in the Probate Office of Shelby County, Alabama; thence 67°42'18" to the right in a Southeasterly direction along the Southwesterly line of said Lot 18 a distance of 266.62 feet to the Southeast corner of said Lot 18; thence 22°58'02" to the right in a Southeasterly direction a distance of 220.00 feet to a point; thence 13°01'54" to the right in a Southeasterly direction a distance of 240.39 feet to a point on the South line of Section 6; thence 47°30'36" to the left in an Easterly direction along the South line of said Section 6 and along the South line of Lot 8, of the aforementioned Amended Map of Southpointe Eighth Sector a distance of 269.66 feet to the Point of Beginning.

SUBJECT TO:

1. TAXES FOR THE YEAR BEGINNING OCTOBER 1, 2006 WHICH CONSTITUTES A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 2007.
2. RIGHT OF WAY IN FAVOR OF SHELBY COUNTY, ALABAMA SET FORTH AS DEED 262 PAGE 351; DEED 262 PAGE 725; DEED 155 PAGE 243 AND DEED 139 PAGE 253 IN THE OFFICE OF THE JUDGE OF PROBATE OF SHELBY COUNTY, ALABAMA.
3. EASEMENT IN FAVOR OF SOUTHERN NATURAL GAS SET FORTH IN DEED 92 PAGE 519 AND INSTRUMENT 1999-37599 IN THE OFFICE OF THE JUDGE OF PROBATE OF SHELBY COUNTY, ALABAMA.
4. AGREEMENT WITH RESPECT TO SURFACE USE AND SUBSURFACE USES LIME GREEN RECORDED IN INSTRUMENT 20040323000148640 IN THE OFFICE OF THE JUDGE OF PROBATE OF SHELBY COUNTY, ALABAMA.
5. TITLE TO ALL MINING AND MINERAL RIGHTS INCIDENT THERETO INCLUDING THOSE RIGHTS INCORPORATED BY REFERENCE WITHIN

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INSTRUMENTS 20040323000148620 AND 20040323000148630 RESPECTIVELY IN THE OFFICE OF THE JUDGE OF PROBATE OF SHELBY COUNTY, ALABAMA.

6. AGREEMENTS CONDITIONS RESERVATIONS RIGHTS AND EASEMENTS SET FORTH IN THAT CERTAIN DEED RECORDED IN DEED BOOK 17 PAGE 1 IN THE OFFICE OF THE JUDGE OF PROBATE OF SHELBY COUNTY, ALABAMA.
7. RESERVATIONS PROVISIONS EXCEPTIONS AND CONDITIONS AND RIGHTS SET OUT IN REAL 112 PAGE 876 AND CORRECTED BY REAL 328, PAGE 1 IN THE OFFICE OF THE JUDGE OF PROBATE OF SHELBY COUNTY, ALABAMA.
8. MEMORANDUM OF OIL AND GAS LEASE BETWEEN TOTAL MINATONE CORPORATION AND CABOT OIL AND GAS CORPORATION DATED AUGUST 8, 1991 IN REAL 370 PAGE 923 IN THE OFFICE OF THE JUDGE OF PROBATE OF SHELBY COUNTY, ALABAMA.
9. MINERAL AND MINING RIGHTS AND OTHER RIGHTS PRIVILEGES AND IMMUNITIES SET OUT IN REAL 180 PAGE 715 DEED BOOK 181 PAGE 374 AND REAL 704 PAGE 62 IN THE OFFICE OF THE JUDGE OF PROBATE OF SHELBY COUNTY, ALABAMA.
10. TRANSMISSION LINE PERMIT GRANTED TO ALABAMA POWER COMPANY AS SHOWN BY INSTRUMENT RECORDED IN DEED BOOK 139 PAGE 424 IN THE OFFICE OF THE JUDGE OF PROBATE OF SHELBY COUNTY, ALABAMA.
11. RELEASE OF DAMAGES MINERAL AND MINING RIGHTS INCIDENT THERETO CONDITIONS RESTRICTIONS AND LIMITATIONS RECORDED IN INSTRUMENT 20050310000108560 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
12. RESTRICTIONS OR COVENANTS APPEARING OF RECORD IN INSTRUMENT 20060602000262100 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

$ 1,350,000 .00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

This conveyance is made upon the covenant and condition that no right of action for damages on account of injuries to the real estate herein conveyed or to any buildings, improvements, structures, pipelines, or other sources of water supply or sewer now or hereafter located upon said real estate, or to any owners or occupants or other persons in or upon said real estate, resulting from sinkholes or other defects of the surface or subsurface of any nature affecting said real estate or resulting from past mining and/or gas or oil producing operations or resulting from past blasting, dewatering, or the past removal of coal, iron ore, gas, oil, methane, hydrocarbons, occluded natural gas, coalbed methane gas, gob gas, limestone and all other minerals and non-mineral substances, including, water associated with the production of coalbed methane gas, or coal seam or other roof supports whether said past mining and/or gas or oil producing operations be in said real estate or other lands, shall ever accrue to or be asserted by Grantee or by Grantee's successors in title, this conveyance being made expressly subject to all such injuries, either past or future, and this condition shall constitute a covenant running with the land as against Grantee and all successors in title.

By acceptance of this deed and as a condition of the conveyance hereunder, Grantee acknowledges and agrees that the physical and environmental condition of the real estate herein conveyed has been inspected by Grantee or Grantee's duly authorized agent and that said real estate is acquired by Grantee as a result of such inspection and not upon any agreement, representation, or warranty made by Grantor. Furthermore Grantee, and on behalf of its successors and assigns, agrees to accept said real estate in its existing condition, including any existing physical and environmental conditions, and to release Grantor from any and all liabilities under any local, state, or federal laws, rules, regulations, ordinances or other liability relating to the physical and environmental condition of said real estate.

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TO HAVE AND TO HOLD unto the said GRANTEES, their heirs and assigns forever.

IN WITNESS WHEREOF, the said **KENDALL ZETTLER** as **VP OF PZ, INC MANAGING MEMBER** of **RIVERWOODS PROPERTIES, LLC** , has hereunto subscribed his/her/their name on this the 20th day April of 2007.

RIVERWOODS PROPERTIES, LLC

KENDALL ZETTLER
VP OF PZ, INC MANAGING MEMBER

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that **KENDALL ZETTLER** , whose name as **VP OF PZ, INC MANAGING MEMBER** of **RIVERWOODS PROPERTIES, LLC**, 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 or she, as such officer and with full authority, executed the same voluntarily for and as the act of said .

Given under my hand this the 20th day April of 2007.

Notary Public

My commission expires: 5-21-08