

This instrument was prepared by:
Donna Knotts Naramore, Esquire
Dominick, Fletcher, Yeilding,
Wood & Lloyd, P.A.
2121 Highland Avenue
Birmingham Alabama 35205

Send tax notice to:
SWWC Utilities, Inc.
728 Volare Drive
Birmingham, Alabama 35244
Attn: Edward R. Becker

#1,872,000.00

STATUTORY WARRANTY DEED

STATE OF ALABAMA)
 :
SHELBY COUNTY) **KNOW ALL MEN BY THESE PRESENTS:**

That for and in consideration of Ten Dollars (\$10.00) to the undersigned **Shelby County Governmental Utility Services Corporation**, an Alabama public corporation ("**Grantor**") in hand paid by **SWWC Utilities, Inc.**, a Delaware corporation ("**Grantee**"), the receipt and sufficiency of which is hereby acknowledged, Grantor does by these presents grant, bargain, sell and convey unto Grantee the following described real estate situated in Shelby County, Alabama, *to-wit:*

See Exhibit "A" attached hereto and made a part hereof for a description of the property being conveyed.

This property is conveyed subject to the following:

- (1) General and special taxes or assessments for 2008 and subsequent years not yet due and payable;
- (2) Mineral and mining rights not owned by Grantor;
- (3) Taxes or special assessments which are not shown as existing liens by public records;
- (4) Easements, or claims of easements, not shown by the public records;

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

IN WITNESS WHEREOF, Grantor, by and through its duly authorized officer, has hereto set its signature and seal this 29th day of January, 2008.

GRANTOR:

**SHELBY COUNTY GOVERNMENTAL
UTILITY SERVICES CORPORATION**

By: _____

Charles M. Lay, Jr., Its Chairman

STATE OF ALABAMA)

SHELBY COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Charles M. Lay, Jr., whose name as Chairman of Shelby County Governmental Utility Services Corporation, a public corporation, 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 such conveyance, 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 the said corporation.

Given under my hand and official seal, this the 29th day of JANUARY, 2008.

[SEAL]

Notary Public

My commission expires: 7/11/08



PARCEL I

Lot 2-E, according to a Resurvey, as recorded in Map Book 8, Page 110, in the Office of the Judge of Probate of Shelby County, Alabama, of Lot 2-D Cahaba River Park.

LESS AND EXCEPT any of the above described real estate which is subject to rights-of-way of the Alabama Department of Transportation. Without limiting the generality of the foregoing, the property conveyed by the Grantor to the Grantee does NOT include any real estate in which lie, and through which pass, the pipes described on Figures 1-7 ("Pipe Description") attached hereto and incorporated herein by this reference.

PARCEL II

A permanent right of way situated in the North 1/2 of Northeast 1/4 of Section 35, Township 18 South, Range 2 West, Shelby County, Alabama and being more particularly described as follows:

Commence at the Northwest corner of said North 1/2 of the Northeast Quarter of said section 35 and run Easterly approximately 1691.00 feet along the Northerly line of said North 1/2 to a point on the Southwesterly right-of-way line of Old U.S. Highway 280, said point being the point of beginning of the easement herein described:

Thence from said Point of Beginning turn 42 degrees 36 minutes 48 seconds right and run Southeasterly 25.00 feet along said right-of-way line to a point; thence turn 123 degrees 06 minutes 43 seconds right and run Southwesterly 142.00 feet to a point; thence turn 42 degrees 27 minutes right and run Southwesterly 110.00 feet to a point on the Northerly line of said North 1/2; thence turn 151 degrees 49 minutes 29 seconds and run Easterly 216.18 feet along said Northerly line of North 1/2 to the Point of Beginning. The above description is part of Lot 1-B Final Plat of Cahaba River Park First Addition Phase II as recorded in Map Book 32 page 77 in the Office of the Judge of Probate of Shelby County, Alabama.

LESS AND EXCEPT any of the above described real estate which is subject to rights-of-way of the Alabama Department of Transportation. Without limiting the generality of the foregoing, the property conveyed by the Grantor to the Grantee does NOT include any real estate in which lie, and through which pass, the pipes described on Figures 1-7 ("Pipe Description") attached hereto and incorporated herein by this reference.

Figure 1 Pipe Description

:

A length of pipe in the State Highway 280 Right-of-Way more particularly described as follows:

An eight inch PVC gravity sewer pipe initiating at the intersection of Perimeter Park South, thirty feet northeast of manhole number 131 and , continuing five hundred and twenty two feet southeast to manhole 153; an eight inch ductile iron pipe continuing two hundred and twenty five feet southeast to manhole 133; an eight inch PVC pipe continuing six hundred and fifty three feet southeast to manhole 135; an eight inch pipe material unknown continuing three hundred and thirty nine feet southeast to manhole 136; an eight inch PVC pipe continuing one thousand three hundred fifty one feet southeast ending two hundred thirty four feet past manhole 95; an eight inch ductile iron pipe continuing seventy nine feet southeast to manhole 99; an eight inch PVC pipe continuing two hundred ninty three feet southeast to manhole 102; a twelve inch ductile iron pipe continuing five hundred and two feet southeast to manhole 106; a twelve inch PVC pipe continuing one hundred sixty feet southeast to manhole 108; a twenty inch ductile iron pipe continuing one hundred fifty feet east to manhole 104; a twenty inch ductile iron pipe continuing one thousand three hundred seventy two feet southeast to manhole 171; a twenty inch ductile iron pipe continuing one hundred eighty seven feet northeast to manhole 1164.

A twelve inch PVC gravity sewer pipe initiating at manhole 108 and continuing three hundred fifty four feet southeast to manhole 164; a twelve inch ductile iron pipe continuing eighty two feet southeast to manhole 165; a twelve inch clay pipe continuing nine hundred sixty two feet southeast to manhole 1167;

Fifty feet of a ten inch clay pipe initiating from manhole 160 initiating from manhole 136 continuing southwest to manhole 137; a ten inch ductile iron pipe continuing two hundred eighty six feet northwest to manhole 145; a ten inch ductile iron pipe continuing one hundred eighty feet northeast to manhole 124; a ten inch ductile iron pipe continuing one hundred fifteen feet northwest to manhole 123; a ten inch clay pipe continuing two hundred ninety four feet northwest to manhole 122; a ten inch ductile iron pipe continuing two hundred sixteen feet north to manhole 1505 and the edge of Highway 280 Right-of-Way.

Ninety eight feet of an eight inch ductile iron pipe initiating from manhole 132 continuing southwest to the edge of Highway 280 Right-of-Way.

Eighty six feet of an eight inch ductile iron pipe initiating from manhole 125 continuing southwest to the edge of Highway 280 Right-of-Way.

Eighty six feet of a six inch pipe material unknown initiating from manhole 134 continuing southwest to the edge of Highway 280 Right-of-Way.

Two hundred sixty feet of a six inch ductile iron pipe initiating from manhole 99 continuing southwest to the edge of Highway 280 Right-of-Way.

Two hundred five feet of an eight inch ductile iron pipe initiating from manhole 102 continuing northeast to the edge of Highway 280 Right-of-Way.

One hundred feet of a twenty inch ductile iron pipe initiating from manhole 108 continuing south to the edge of Highway 280 Right-of-Way.

Two hundred feet of a four inch forcemain pipe material unknown initiating from manhole 1164 continuing northwest to the edge of Highway 280 Right-of-Way.

Figure 2 Pipe Description

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A length of pipe in the State Highway 280 Right-of-Way more particularly described as follows:

A twenty inch ductile iron gravity sewer pipe initiating at manhole 1164 continuing one thousand ninety seven feet southeast to manhole 1189; an eighteen inch ductile iron pipe continuing five hundred ninety feet southeast to manhole 1191; a ten inch ductile iron pipe continuing one thousand two hundred eighty eight feet southeast to manhole 1242; a ten inch pipe material unknown continuing two hundred thirty feet southeast to manhole 1197; a gravity sewer pipe material and diameter unknown continuing forty feet north to the edge of Highway 280 Right-of-way.

A gravity sewer pipe material and diameter unknown initiating approximately sixty feet northwest of the intersection of Greenhill Road and Highway 280 Right-of-way continuing twenty feet south to manhole 1202; a gravity sewer pipe material and diameter unknown continuing twenty feet southeast to manhole 1203; a twenty inch ductile iron pipe continuing one thousand ten feet southeast; an eighteen inch ductile iron pipe continuing two thousand four hundred seventy seven feet southeast; an eight inch ductile iron pipe continuing one hundred seventy two feet southeast to manhole 1366; an eight inch ductile iron pipe identified within the Birmingham Water Works and Sewer Board Geographical Information System as a private owner continuing two hundred sixty two feet southeast to manhole 1365; an eight inch gravity pipe material unknown identified within the Birmingham Water Works and Sewer Board Geographical Information System as a private owner continuing seventy three feet southeast to manhole 744; an eight inch PVC gravity pipe identified within the Birmingham Water Works and Sewer Board Geographical Information System as a private owner continuing two hundred eighty three feet southeast to manhole 743.

A twelve inch gravity sewer pipe material unknown initiating at manhole 1167 continuing two hundred twenty feet southeast to manhole 1168; a twelve inch PVC pipe continuing two hundred fifty feet southeast to manhole 1169; a twelve inch pipe material unknown continuing forty three feet east to manhole 1170; a twelve inch PVC pipe continuing two hundred one feet southeast to manhole 1171; a two inch pipe material unknown continuing southwest to the edge of Highway 280 Right-of-way.

Twenty feet of an eight inch PVC sewer force main pipe initiating at manhole 1194 continuing fifteen feet northeast to the edge of Highway 280 Right-of-way.

Fifteen feet of a four inch PVC sewer force main pipe initiating at manhole 1242 continuing northeast to the edge of Highway 280 Right-of-way.

One hundred seventy feet of a six inch PVC sewer force main pipe initiating at the intersection of Cahaba Beach Road and Highway 280, continuing northeast to the edge of Highway 280 Right-of-way.

Seventy two feet of a gravity sewer pipe material and diameter unknown initiating at manhole 1366 and continuing north to manhole 1367 near the edge of Highway 280 Right-of-way.



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Figure 3 Pipe Description

A length of pipe in the State Highway 280 Right-of-Way more particularly described as follows:

A ten inch ductile iron gravity sewer pipe initiating at manhole 743, continuing three hundred ninety feet east to manhole 741; an eight inch ductile iron pipe continuing one hundred seventy two feet east to manhole 740; an eight inch PVC gravity pipe identified within the Birmingham Water Works and Sewer Board Geographical Information System as a private owner continuing one thousand five hundred one fee east; a ten inch ductile iron force main pipe continuing one thousand one hundred fifty eight feet east to the edge of Highway 280 Right-of-Way near Meadowlark Drive.

An eight inch ductile iron gravity sewer pipe initiating two hundred and ninety feet east of the intersection of Corporate Parkway continuing two hundred forty eight feet north to the edge of Highway 280 Right-of-Way; an eight inch PVC pipe continuing two hundred five feet east; an eighteen inch ductile iron pipe continuing two hundred eight feet to the intersection of Meadowlark Drive; a ten inch ductile iron force main continuing two thousand two hundred fifty feet to the intersection of Cahaba Road and the edge of Highway 280 Right-of-Way.

A six inch ductile iron gravity sewer pipe initiating at the intersection of Meadowlark Drive continuing two thousand three hundred forty-two feet east to the intersection of Cahaba Road and the edge of Highway 280 Right-of-Way.

A gravity sewer pipe, material and diameter unknown, initiating eight hundred feet west of the intersection of Cahaba Road and continuing sixty feet north to the edge of Highway 280 Right-of-Way.

Figure 4 Pipe Description

A length of pipe in the State Highway 280 Right-of-Way more particularly described as follows:

A ten inch ductile iron force main initiating near the northeast corner of Cahaba Valley Parkway and US 280, continuing approximately one thousand six hundred and forty feet eastward near the northwest corner of Hugh Daniel Drive and US 280; a twelve inch ductile iron force main initiating near the northwest corner of Hugh Daniel Drive and US 280, continuing approximately 615 feet to the southeast and ending at manhole 288. A twelve inch ductile iron gravity sewer pipe initiating at manhole 288, continuing approximately four thousand three hundred and five feet to manhole 373 on Figure 5.

An eight inch vitrified clay gravity sewer pipe initiating near the northeast corner of Cahaba Valley Parkway and US 280, continuing approximately 205 feet westward during the US 280 Right-of-Way; An eight inch diameter ductile iron gravity sewer pipe initiating near the southwest corner of Cahaba Valley Parkway and US 280, continuing approximately one thousand two hundred twenty-five feet southward and ending at manhole 285; an eight inch ductile iron gravity sewer initiating at manhole 319, continuing approximately 100 feet east to pressure manhole 1433 on the US 280 Right-of-Way; a gravity sewer, diameter and material unknown, initiating at manhole 359 and continuing about 110 feet northwest;

Figure 5 Pipe Description

A length of pipe in the State Highway 280 Right-of-Way more particularly described as follows:

An eight inch ductile iron gravity sewer initiating at manhole 1436, continuing approximately 210 feet eastward to manhole 1437; an 8 inch PVC gravity sewer initiating at manhole 368, continuing approximately 55 feet to the US 280 Right-of-Way; A twelve inch ductile iron gravity sewer pipe initiating at manhole 1436, continuing approximately three thousand four hundred and eight-five feet to manhole 455.

Figure 6 Pipe Description

A length of pipe in the State Highway 280 Right-of-Way more particularly described as follows:

A twelve inch ductile iron gravity sewer pipe initiating at manhole 454, continuing approximately two thousand and fifty feet to manhole 558; A twelve inch PVC gravity seer pipe initiating at manhole 558, continuing one thousand six hundred and forty feet to manhole 566; A twelve inch ductile iron gravity sewer wrapped in polyethylene initiating at manhole 556, continuing approximately 205 feet eastward to manhole 566; An eight inch ductile iron gravity sewer wrapped in polyethylene initiating at manhole 566, continuing approximately 60 feet to the US 280 Right-of-Way; An eight inch ductile iron gravity sewer wrapped in polyethylene initiating at manhole 567, continuing approximately 90 feet to manhole 560.



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Figure 7 Pipe Description

A length of pipe in the State Highway 119 Right-of-Way more particularly described as follows:

A ten-inch ductile iron force main at the northwest corner of State Highway 119 and US Highway 280, continuing northeast along the western edge of State Highway 199 approximately one thousand four hundred and eight feet before crossing to the east Right-of-Way of State Highway 119; thence continuing approximately seven thousand seven hundred and twenty feet before turning eastward into Lift Station No. 29.

An eighteen inch PVC gravity sewer starting at the edge of the State Highway 119 Right-of-Way next to Lift Station No. 29, continuing approximately 23 feet northwesterly before turning southwest for approximately 660 feet to manhole 6; A fifteen inch PVC gravity sewer starting at manhole 6, continuing approximately 350 feet southwest to manhole 7, continuing northwest approximately 60 feet to the edge of Right-of-Way.

Shelby County, AL 01/31/2008
State of Alabama

Deed Tax:\$1872.00