



20080612000240920 1/4 \$21.00
Shelby Cnty Judge of Probate, AL
06/12/2008 04:11:35PM FILED/CERT

THIS INSTRUMENT WAS PREPARED BY:

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SEND TAX NOTICE TO:

The Industrial Development Board of the
City of Calera
P.O. Box 180
Calera, AL 35040

STATE OF ALABAMA

COUNTY OF SHELBY

STATUTORY WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

That for and in consideration of One Dollar (\$1.00) and other good and valuable consideration to **USA RAIL, LLC**, an Alabama limited liability company (hereinafter referred to as "Grantor"), in hand paid by **THE INDUSTRIAL DEVELOPMENT BOARD OF THE CITY OF CALERA**, an Alabama public corporation (hereinafter referred to as "Grantee"), the receipt and legal sufficiency of which are hereby acknowledged, Grantor does hereby grant, bargain, sell and convey unto Grantee all the real property located in Shelby County, Alabama and legally described on **Exhibit "A"** attached hereto and incorporated herein, together with all easements and other appurtenances thereto (the "Property").

TO HAVE AND TO HOLD the said Property unto Grantee, its successors and assigns forever subject to those matters described on **Exhibit "B"** attached hereto and incorporated herein.


IN WITNESS WHEREOF, said Grantor, has caused this deed to be executed and delivered as of the 22nd day of May, 2008.

GRANTOR:

USA RAIL, LLC, an Alabama limited liability company

BY: O'NEIL TRANSPORTATION SERVICES, INC., an Alabama corporation

By:



HAINES A. O'NEIL, President



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STATE OF ALABAMA

COUNTY OF JEFFERSON

I, Stacey Sessions Shirk, a Notary Public in and for said County in said State, hereby certify that Haines A. O'Neil, whose name as President of O'Neil Transportation Services, Inc., an Alabama corporation and the sole member and manager of USA Rail, LLC, an Alabama limited liability company, is signed to the foregoing, and who is known to me, acknowledged before me on this day that, being informed of the contents of the foregoing, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation, acting in its capacity as sole member and manager of aforesaid.

Given under my hand and official seal this the 23rd day of May, 2008.

Stacey Sessions Shirk
NOTARY PUBLIC

MY COMMISSION EXPIRES MAY 23, 2011

My Commission Expires: _____

[NOTARY SEAL]

**EXHIBIT A
DESCRIPTION OF PROPERTY**

A parcel of land situated in part of Section 20 and 21, Township 22 South, Range 2 West, Shelby County, Alabama, more particularly described as follows:

Commence at the Southwest corner of Section 21, Township 22 South, Range 2 West, and run in a Northerly direction along the West line of said Section a distance of 755.27 feet to the Northwestern right-of-way line of the Southern Railroad, being the point of beginning; thence 69 degrees 09 minutes right in a Northeasterly direction along said right-of-way, a distance of 292.32 feet; thence 00 degrees 01 minutes right in a Northeasterly direction a distance of 2,064 feet; thence 86 degrees 46 minutes left in a Northwesterly direction a distance of 175.28 feet to the Southerly right-of-way line of Woodbine Avenue; thence 93 degrees 14 minutes left in a Southwesterly direction along said right-of-way line a distance of 185.00 feet; thence 114 degrees 40 minutes right in a Northerly direction a distance of 454.68 feet; thence 90 degrees 00 minutes left in a Westerly direction a distance of 643.51 feet; thence 19 degrees 45 minutes 20 seconds right in a Northwesterly direction a distance of 54.95 feet; thence 70 degrees 14 minutes 40 seconds right in a Northerly direction a distance of 440.00 feet; thence 45 degrees 00 minutes left in a Northwesterly direction a distance of 200.00 feet; thence 45 degrees 00 minutes left in a Westerly direction a distance of 493.74 feet; thence 45 degrees left in a Southwesterly direction a distance of 329.67 feet to the Easterly right-of-way line of 18th Street; thence 45 degrees left in a Southerly direction along said right-of-way line a distance of 484.27 feet; thence 90 degrees right in a Westerly direction a distance of 260.00 feet; thence 90 degrees right in a Northerly direction a distance of 51.53 feet; thence 90 degrees left in a Westerly direction a distance of 435.34 feet; thence 90 degrees 08 minutes left in a Southerly direction a distance of 556.79 feet; thence 90 degrees 08 minutes right in a Westerly direction a distance of 450.94 feet; thence 90 degrees left in a Southerly direction a distance of 304.00 feet; thence 90 degrees right in a Westerly direction a distance of 310.87 feet; thence 108 degrees 08 minutes 50 seconds left in a Southeasterly direction a distance of 293.40 feet; thence 03 degrees 21 minutes 20 seconds right in a Southeasterly direction a distance of 203.00 feet; thence 07 degrees 16 minutes 30 seconds left in a Southeasterly direction a distance 210.18 feet; thence 02 degrees 18 minutes 40 seconds left in a Southeasterly direction a distance of 95.74 feet; thence 90 degrees 19 minutes 20 seconds left in a Northeasterly direction a distance of 357.29 feet; thence 90 degrees 01 minutes right in a Southeasterly direction a distance of 210.01 feet to said Northwestern right-of-way line of the Southern Railroad; thence 90 degrees left in a Northeasterly direction along said right-of-way line a distance of 480.14 feet to the point of beginning; being situated in Shelby County, Alabama.

All being situated in Shelby County, Alabama.



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EXHIBIT "B"

To Statutory Warranty Deed

Permitted Exceptions

1. The lien for ad valorem taxes for 2008 and subsequent years.
2. All matters of record affecting the subject Property.
3. All matters that might be disclosed by an accurate and complete, current survey of the subject Property.
4. Mineral and mining rights not owned by the Grantor, if any.