

STATE OF ALABAMA )

SHELBY COUNTY )

SCRIVENER'S AFFIDAVIT

20080711000282280 1/7 \$29.00  
Shelby Cnty Judge of Probate, AL  
07/11/2008 04:06:11PM FILED/CERT

I, Thomas E. Simmons, the undersigned, am the draftsman of the following legal description on the attached deed attached hereto as Exhibit "A" from a survey I prepared for this conveyance:

SEE ATTACHED Exhibit "A"

The legal description was incorrect in said legal description on the attached deed attached hereto as Exhibit "A" from a survey I prepared for this conveyance and should have not included the below described property:

**Begin at the NW corner of Section 21, Township 20 South, Range 2 East; thence run East along the north line of said section for 123.06 feet to the Northwesterly R/W of Shelby County Highway #76; thence 154 degrees 46' right run Southwesterly along said R/W for 134.88 feet to a curve to the left (having a central angle of 24 degrees 06' 18" and a radius of 794.98 feet); thence run along said curve and R/W for 334.46 feet; thence 54 degrees 53' 30" right from tangent of said curve run Westerly for 100.0 feet to the Easterly R/W of Alabama State Highway #25 and a curve to the right (having a central angle of 4 degrees 11' 15" and a radius of 3451.4 feet); thence 90 degrees 00' right to tangent of said curve run Northerly along said R/W and curve for 249.84 feet to the north line of the NE 1/4 of Section 20, Township 20 South, Range 2 East; thence 80 degrees 04' 07" right from tangent of said curve run 329.60 feet to the Point of Beginning.**

The correct legal should be the following attached description as shown on Exhibit "B" attached hereto.

This affidavit is made for the purpose of recording the correct legal description in the Warranty Deed recorded in Inst #1997-15220 in the Office of the Judge of Probate of Shelby County, Alabama.

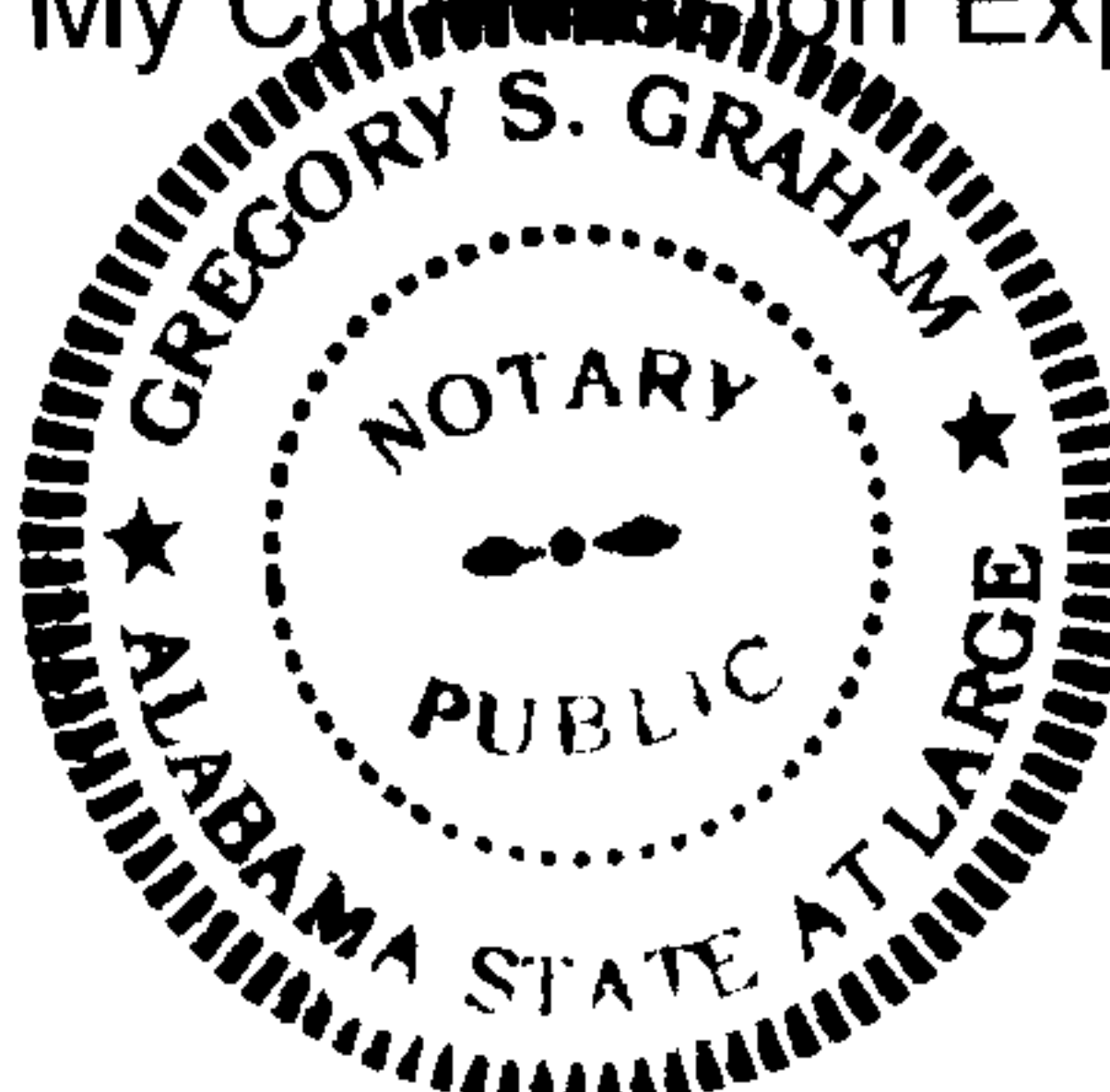
IN WITNESS WHEREOF, I have hereunto set my hand and seal this 26  
day of June, 2008.

*Thomas E. Simmons*

STATE OF ALABAMA )  
Talladega COUNTY )

Before me, the undersigned authority, a Notary Public in and for said County, in said state, personally appeared Thomas E. Simmons and who first was duly sworn by me, did depose and say the above, and subscribed his name to the above, this the 26 day of June 2008.

*Gregory S. Graham*  
NOTARY PUBLIC  
My Commission Expires: 9/18/11



This instrument prepared by:  
Mitchell & Graham, P.C.  
P. O. Drawer 307  
803 3rd St. S. W.  
Childersburg, Alabama 35044

EXHIBIT A LEGAL DESCRIPTION

3,745,000.

Inst # 1997-15220


GRANTEE'S ADDRESS:  
2154 Highland Avenue South  
Birmingham, Alabama 35205

STATE OF ALABAMA,  
SHELBY COUNTY.

THIS INDENTURE, made and entered into on this the 14<sup>th</sup> day  
May, 1997, by and between SUNBELT SOD FARM, INC., a  
corporation, herein referred to as Grantor, and SUNBELT  
PROPERTIES, LLC, an Alabama limited liability company, herein  
referred to as Grantee.

WITNESSETH: That the Grantor for and in consideration of  
Ten and No/100 (\$10.00) Dollars, cash in hand paid, has this day  
given, granted, bargained, sold and conveyed and does by these  
presents give, grant, bargain, sell and convey to Grantee, in fee  
simple, together with every contingent remainder and right of  
reversion, the following described real estate, lying and being  
situated in Shelby County, Alabama, to-wit:

PARCEL NO. 1: Commence at the Southwest corner of  
Section 16, Township 20 South, Range 2 East; thence  
run North along the West line of said Section 16, a  
distance of 600.00 feet to the point of beginning;  
thence turn an angle of 90 degrees 00 minutes 00  
seconds to the left and run a distance of 204.13 feet  
to the Southeast right-of-way line of Alabama State  
Highway No. 25; thence turn an angle of 101 degrees  
56 minutes 38 seconds to the right and run along  
said right-of-way a distance of 2098.73 feet to the  
North line of the Southwest quarter of said Section  
16; thence turn an angle of 78 degrees 26 minutes  
15 seconds to the right and run a distance of 2421.20  
feet, to the Northeast corner of the Southwest quarter  
of said Section 16; thence turn an angle of 89 degrees  
44 minutes 22 seconds to the right and run South along  
the East line of said Southwest quarter a distance of  
1549.70 feet, to the North right-of-way line of Alabama  
State Highway No. 76; thence turn an angle of 80 degrees  
33 minutes 05 seconds to the right, to the tangent  
of a right-of-way curve, and run along said right-of-way  
curve (whose Delta angle is 15 degrees 38 minutes  
42 seconds to the left, Radius is 1950.55 feet, Tangent  
distance of 267.97 feet, Length of Arc is 532.61 feet)  
to the P.T. of said curve; thence continue along said  
right-of-way line a distance of 2085.64 feet; thence  
turn an angle of 114 degrees 58 minutes 21 seconds  
to the right and run a distance of 549.64 feet;  
thence turn an angle of 90 degrees 00 minutes  
00 seconds to the left and run a distance of 250.00  
feet to the point of beginning. Situated in the  
Southwest quarter of Section 16, and the Southeast

  
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SHELBY COUNTY JUDGE OF PROBATE  
003 MEL 1738.50



EXHIBIT A LEGAL DESCRIPTION

quarter of Section 17, Township 20, Range 2 East,  
Shelby County, Alabama.

PARCEL NO.2: Part of Sections 16, 20, and 21, Township 20 South, Range 2 East, being more particularly described as follows: Begin at the Southwest corner of Section 21, Township 20 South, Range 2 East; thence run East along the South line of said Section for 2,949.90 feet to a point (said point being 2,331.75 feet West of the Southeast corner of said Section); thence 91 degrees 04 minutes 41 seconds left run 2,607.91 feet; thence 72 degrees 39 minutes 57 seconds right run 1042.25 feet to the center of a slough; thence run Easterly along said slough 127 feet, more or less, to the West bank of the Coosa River; thence Northerly along said West bank for 2,590 feet, more or less, to the South line of Section 16, Township 20 South, Range 2 East; thence run West along the South line of said Section 2,162.45 feet to the Southeast corner of the Southwest quarter of said Section 16; thence 89 degrees 10 minutes 16 seconds right run 1,021.17 feet to a point on the Southerly right-of-way of Shelby County Highway 76 (said point being on a curve having a radius of 2,046.92 feet); thence 99 degrees 34 minutes 50 seconds left to tangent of said curve run 370.39 feet along said curve and right-of-way; thence 72 degrees 29 minutes 12 seconds left of tangent 209.85 feet; thence 69 degrees 54 minutes 35 seconds right run 419.84 feet; thence 110 degrees 44 minutes 30 seconds right run 202.15 feet to the Southerly right-of-way of said Highway 76; thence 112 degrees 42 minutes 30 seconds left run Southwesterly along said right-of-way for 1,746.80 feet to the North line of said Section 21; thence 25 degrees 14 minutes 38 seconds right run 315.22 feet to the Northeast corner of said Section 20; thence run West along the North line of said Section 20 for 323.96 feet to a point (said point being on the Easterly right-of-way of Alabama State Highway 25 and on a curve to the left having a radius of 3,452.4 feet); thence run along said curve and right-of-way for 884.32 feet; thence continue along said right-of-way for 4,485.90 feet to the South line of said Section 20; thence 85 degrees 28 minutes 53 seconds left run 33.85 feet to the point of beginning.

PARCEL NO. 3: Commence at the Southeast corner of Section 21, Township 20 South, Range 2 East, Shelby County, Alabama; thence run North 88 degrees 55 minutes 19 seconds West along the South boundary of said Section 21 a distance of 1688.753 feet to the point of beginning; thence continue along said course a distance of 643.0 feet; thence turn an angle of 88 degrees 55 minutes 19 seconds to the right and proceed North 0 degrees East for a distance of 2607.91 feet; thence turn an angle of 72 degrees 39 minutes 57 seconds to the right and proceed North 72 degrees 39 minutes 57 seconds East for a distance of 686.11 feet; thence turn an angle of 107 degrees 20 minutes 03 seconds to the right and proceed South 0 degrees West a distance of 2820.664 feet to the point of beginning. Situated in Shelby County, Alabama, and containing 40 acres, more or less.

LESS AND EXCEPT ANY PORTION OF THE ABOVE  
DESCRIBED PROPERTY WHICH MAY LIE WITHIN  
THE BOUNDARIES OF ANY PUBLIC HIGHWAYS.



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SUBJECT TO EASEMENTS FOR UTILITIES.

TO HAVE AND TO HOLD the above described property with the tenements, hereditaments, hereditaments, appurtenances and improvements thereunto belonging or in anywise appertaining unto the Grantee, and its successors and assigns forever.


The Grantor does hereby covenant with and represent unto the Grantee that it is seized in fee simple of the lands above described; that the same is free of encumbrances and that it will and its successors and assigns shall warrant and defend the title to the same to said Grantee, its successors and assigns forever, against all lawful claims of all persons.

IN WITNESS WHEREOF, the Grantor, by its President, who is authorized to execute this conveyance, has hereunto set its signature and seal on the day and year first above written.

SUNBELT SOD FARM, INC.  
BY: Monta Standridge  
ITS PRESIDENT

ATTEST:

Emmie Stanbury  
ITS SECRETARY

  
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STATE OF ALABAMA,

COUNTY OF TALLADEGA,

I, the undersigned authority, a Notary Public in and for said County and State, hereby certify that Monta Standridge, whose name as President of Sunbelt Sod Farm, Inc., a 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 said 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 said corporation.

Given under my hand and official seal this the 14<sup>th</sup> day of May, 1997.

Ray F. Robbins, II  
NOTARY PUBLIC

Prepared by:  
Ray F. Robbins, II  
P. O. Box 479  
Talladega, Alabama 35161

Inst # 1997-15220

05/15/1997-15220  
11:46 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
003 NEL 1758.50



EXHIBIT B LEGAL DESCRIPTION

PARCEL NO. 1: Commence at the Southwest corner of Section 16, Township 20 South, Range 2 East; thence run North along the West line of said Section 16, a distance of 600.00 feet to the point of beginning; thence turn an angle of 90 degrees 00 minutes 00 seconds to the left and run a distance of 204.13 feet to the Southeast right-of-way line of Alabama State Highway No. 25; thence turn an angle of 101 degrees 56 minutes 38 seconds to the right and run along said right-of-way a distance of 2098.73 feet to the North line of the Southwest quarter of said Section 16; thence turn an angle of 78 degrees 26 minutes 15 seconds to the right and run a distance of 2421.20 feet, to the Northeast corner of the Southwest quarter of said Section 16; thence turn an angle of 89 degrees 44 minutes 22 seconds to the right and run South along the East line of said Southwest quarter a distance of 1549.70 feet, to the North right-of-way line of Alabama State Highway No. 76; thence turn an angle of 80 degrees 33 minutes 05 seconds to the right, to the tangent of a right-of-way curve, and run along said right-of-way curve (whose Delta angle is 15 degrees 38 minutes 42 seconds to the left, Radius is 1950.55 feet, Tangent distance of 267.97 feet, Length of Arc is 532.61 feet) to the P.T. of said curve; thence continue along said right-of-way line a distance of 2085.64 feet; thence turn an angle of 114 degrees 58 minutes 21 seconds to the right and run a distance of 549.64 feet; thence turn an angle of 90 degrees 00 minutes 00 seconds to the left and run a distance of 250.00 feet to the point of beginning. Situated in the Southwest quarter of Section 16, and the Southeast quarter of Section 17, Township 20, Range 2 East, Shelby County, Alabama.

PARCEL NO.2: Part of Sections 16, 20, and 21, Township 20 South, Range 2 East, being more particularly described as follows: Begin at the Southwest corner of Section 21, Township 20 South, Range 2 East; thence run East along the South line of said Section for 2,949.90 feet to a point (said point being 2,331.75 feet West of the Southeast corner of said Section); thence 91 degrees 04 minutes 41 seconds left run 2,607.91 feet; thence 72 degrees 39 minutes 57 seconds right run 1042.25 feet to the center of a slough; thence run Easterly along said slough 127 feet, more or less, to the West bank of the Coosa River; thence Northerly along said West bank for 2,590 feet, more or less, to the South line of Section 16, Township 20 South, Range 2 East; thence run West along the South line of said Section 2,162.45 feet to the Southeast



  
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LESS AND EXCEPT THE FOLLOWING DESCRIBED PROPERTY:

Begin at the NW corner of Section 21, Township 20 South, Range 2 East; thence run East along the north line of said section for 123.06 feet to the Northwesternly R/W of Shelby County Highway #76; thence 154 degrees 46' right run Southwesterly along said R/W for 134.88 feet to a curve to the left (having a central angle of 24 degrees 06' 18" and a radius of 794.98 feet); thence run along said curve and R/W for 334.46 feet; thence 54 degrees 53' 30" right from tangent of said curve run Westerly for 100.0 feet to the Easterly R/W of Alabama State Highway #25 and a curve to the right (having a central angle of 4 degrees 11' 15" and a radius of 3451.4 feet); thence 90 degrees 00' right to tangent of said curve run Northerly along said R/W and curve for 249.84 feet to the north line of the NE 1/4 of Section 20, Township 20 South, Range 2 East; thence 80 degrees 04' 07" right from tangent of said curve run 329.60 feet to the Point of Beginning.



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