



20080822000338530 1/4 \$447.50
Shelby Cnty Judge of Probate, AL
08/22/2008 12:35:48PM FILED/CERT

This instrument prepared by:
Ray F. Robbins, III, Esq.
The Westervelt Company
Post Office Box 48999
Tuscaloosa, AL 35404
205-562-5431

STATE OF ALABAMA

COUNTY OF SHELBY

STATUTORY WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS that **THE WESTERVELT COMPANY, INC.**, a Delaware corporation ("Grantor"), in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration paid to Grantor by **Brigitta C. Brott** and **William B. Hillegass Jr.** ("Grantees"), the receipt whereof is hereby acknowledged, does, subject to all matters, exceptions and reservations hereinafter mentioned, hereby GRANT, BARGAIN, SELL AND CONVEY unto Grantees, as tenants in common with equal rights and interests for the period or term that the Grantees shall both survive, and then unto the survivor of the Grantees, at the death of the other, and to the heirs and assigns of such survivor in fee simple forever, such tenancy intended to create co-tenants in common for life with a contingent remainder in fee in favor of the survivor of the Grantees, that certain real property situated in the County of Shelby, State of Alabama, and more particularly described on Exhibit "A" attached hereto and incorporated herein by reference (the "Property").

By the execution and delivery of this Deed, Grantor and Grantees acknowledge that it is not their intention to create a joint tenancy with right of survivorship, but, on the contrary it is their intention to create and they do hereby create a form of concurrent ownership in the Property as tenants in common during the respective lives of the Grantees, with cross-contingent remainders in fee to and in favor of the survivor, and to the heirs and assigns of such survivor, which interests so created in the Grantees are indestructible by the act of one of the Grantees.

Grantor hereby reserves all minerals and mineral and mining rights in, on and under the Property or that may be produced from or which be situated in, on, under or upon the Property that have not heretofore been conveyed to or reserved by others, including, without limitation, all rights and interests in and to all of the coal, iron ore, gas, oil, methane, hydrocarbon, occluded natural gas, coal bed methane gas; gob gas, limestone and all other minerals and non-mineral substances in, on or under the Property, including water associated with the production of coal bed methane gas situated in, on, under or upon the Property.

The Property is conveyed subject to those certain items set forth on Exhibit "B" attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD the same, together with all and singular, the rights, members, privileges, tenements, improvements, hereditaments, easements and appurtenances thereunto belonging or in anywise appertaining, subject, however, to the matters, exceptions and reservations to which reference is hereinabove made, unto Grantees and their heirs and assigns, forever.

IN WITNESS WHEREOF, Grantor has executed this deed, by and through its duly authorized representative, as of the 14th day of August, 2008.

THE WESTERVELT COMPANY, INC.

By: James J. King Jr.
James J. King Jr.
Its. Vice President

STATE OF ALABAMA

COUNTY OF TUSCALOOSA

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that James J. King Jr., whose name as Vice President of The Westervelt Company, Inc., a Delaware corporation, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he/she, 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, notarial seal on this the 14th day of August, 2008.

Shelby County, AL 08/22/2008
State of Alabama

Deed Tax: \$427.50

Shirley D. Daylock
Notary Public
My Commission Expires:

MY COMMISSION EXPIRES FEB. 23, 2010

Grantee's Address:

13 BRUSH CREEK FARM
COLUMBIA, AL.
35051



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EXHIBIT "A"
Description of the Property

Commence at a 4" x 4" concrete monument in place accepted as the Northeast corner of Section 23, Township 21 South, Range 2 West, Shelby County, Alabama, said point being the point of beginning. From this beginning point proceed South 01° 26' 28" West along the East boundary of said Section for a distance of 1669.98 feet (set ½" rebar); thence proceed North 88° 03' 25" West for a distance of 2497.74 feet to a ½" rebar in place, said point being the Southeast corner of Lot No. 11 of the Brush Creek Farms Resurvey as shown by map of said subdivision on record in the Office of the Judge of Probate of Shelby County, Alabama, in Map Book 15 at Page 18; thence proceed North 01° 44' 49" East along the East boundary of said subdivision for a distance of 330.08 feet to a ½" rebar in place to a point on the North boundary of the Southwest one-fourth of the Northeast one-fourth, said point also being located on the South boundary of the Brush Creek Farms Subdivision as shown by map of said subdivision on record in the Office of the Judge of Probate of Shelby County, Alabama, in Map Book 8 at Page 89; thence proceed South 88° 03' 25" East along the South boundary of said subdivision and along the North boundary of said quarter-quarter section for a distance of 1168.23 feet to a 4" x 4" concrete monument in place being the Southeast corner of Lot No. 13 of said Brush Creek Farms and also being the Southwest corner of the Northeast one-fourth of the Northeast one-fourth; thence proceed North 02° 05' 55" East along the East boundary of said subdivision and along the West boundary of said Northeast one-fourth of the Northeast one-fourth for a distance of 1332.47 feet to a 4" x 4" concrete monument in place being the Northwest corner of the Northeast one-fourth of the Northeast one-fourth; thence proceed South 88° 22' 45" East along the North boundary of said section for a distance of 1312.41 feet to the point of beginning.

The above described land is located in the Northeast one-fourth of Section 23, Township 21 South, Range 2 West, Shelby County, Alabama, and contains 59.4 acres.



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EXHIBIT "B"
Permitted Exceptions

1. All real estate ad valorem taxes and assessments applicable to the Property for the year 2009 and all subsequent years thereafter.
2. All easements, restrictions, reservations, rights-of-way and other matters of record.
3. All planning, zoning, health and other governmental regulations, if any affecting the Property.
4. Rights or claims of parties in possession not shown by the public records.
5. Easements, or claims of easements, not shown by the public records.
6. Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.



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