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Shelby Cnty Judge of Probate, AL
02/20/2009 12:47:34PM FILED/CERT

STATE OF ALABAMA)

SHELBY & BIBB COUNTY)

STATUTORY WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS that in consideration of **Ten and No/100 Dollars (\$10.00)** and other good and valuable consideration to the undersigned Grantor, in hand paid by the Grantee herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, **Seaman Timber Company, Inc.**, an Alabama corporation (herein referred to as "Grantor"), grants, bargains, sells and conveys unto **Seabrier Farm, LLC**, an Alabama limited liability company (herein referred to as "Grantee") the following described real estate, situated in Shelby County, Alabama and Bibb County, Alabama to wit:

SEE EXHIBIT A LEGAL DESCRIPTION ATTACHED HERETO AND INCORPORATED BY REFERENCE

TOGETHER WITH all improvements thereon and appurtenances thereto belonging or in anywise appertaining, and all right, title interest of Grantor in and to any and all roads, alleys and ways bounding said property.

SUBJECT TO AND EXCEPT FOR:

1. Ad valorem taxes and assessments for the current year and subsequent years which are not yet due and payable.
2. Any and all previous reservations or conveyances, if any, of oil, gas and other minerals in, on and under said real property, together with all rights in connection therewith; all recorded encumbrances, if any; all recorded or unrecorded easements, liens, rights-of-way, and other matters of record in the Probate Office of Shelby County, Alabama or Bibb County, Alabama, as applicable (including without limitation that certain Declaration of Easement, dated November 21, 2008 and recorded in the Office of the Judge of Probate of Shelby County at Instrument 20081124000447870); any deficiencies in quantity of land, discrepancies as to boundary lines, overlaps, encroachments, and other matters which would be disclosed by a true and accurate survey of the property conveyed herein; any drainage or runoff that may occur from property retained by Grantor that may affect the property conveyed herein (and Grantee and Grantee's successors and assigns covenant and agree to hold Grantor harmless from and against any such drainage or runoff); and any and all recorded or unrecorded leases affecting said property, if any.
3. To the extent that, after execution and deliver of this Statutory Warranty Deed, it is determined that the Grantor did not hold title to the property conveyed therein as a result of actions taken by the Corporation prior to February 7, 2008, Grantee and its successors and assigns covenant and agree to hold the Grantor harmless from and against any and all claims arising from such pre-February 7, 2008 actions which result

in a failure of title in whole or in part with respect to the real estate conveyed in this Statutory Warranty Deed.

TO HAVE AND TO HOLD to the said Grantee, and its successors and assigns, in fee simple forever against the lawful claims of all parties claiming by, through, or under the Grantor.

The Grantor hereby covenants and agrees with the Grantee, its successors and assigns, that the Grantor, its successors and assigns, will warrant and defend the above described real estate against the lawful claims (unless otherwise noted above) of all persons claiming by, through, or under the Grantor, but not further or otherwise.

IN WITNESS WHEREOF, the Grantor has caused this Statutory Warranty Deed to be executed on this 19 day of December, 2008.

SEAMAN TIMBER COMPANY, INC.

By: [Signature]
R. Shane Boatright
Its President

STATE OF ALABAMA)
COUNTY OF Shelby)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that R. Shane Boatright, whose name as Chief Executive Officer of Seaman Timber Company, Inc., an Alabama 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 the conveyance he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation on the day the same bears date.

Given under my hand and official seal this 19th day of December, 2008.

AFFIX SEAL

Barry Scott
Notary Public
My Commission Expires: 9/10/2011

THIS INSTRUMENT PREPARED BY:

Donald E. Johnson, Esq.
2311 Highland Ave, South, Suite 500
Birmingham, Alabama 35205

SEND TAX NOTICE TO:

Seabrier Farm, LLC
1051 Hwy 25 S
Montevallo AL

35115

EXHIBIT A

Parcel I

That portion of the following described land lying S of Shoal Creek, being \pm 100 acres: NE1/4 of SE1/4 and S1/2 of SE1/4, Section 12, Twp. 24N, R 11E; NW1/4 of SW1/4, Section 7, Twp. 24N, R 12E.

Said land being further described by metes and bounds according to a survey conducted on August 8, 1985 by James A. Riggins, Reg. No. 9428, as:

Beginning at the SE corner of Section 12, being also the SW corner of Section 7, go S87°00'26"W along the S boundary of the SE1/4 of Section 12 for \pm 2,588.08 feet to the center line of Shoal Creek.

Thence the next forty-eight (48) courses along the centerline of Shoal Creek as follows: Go N2°00'40"W for 269.44 feet; thence N10°30'03"E for 235.57 feet; thence N16°11'17"E for 144.09 feet; thence N51°32'55"E for 104.55 feet; thence N61°56'59"E for 087.92 feet; thence N59°05'01"E for 122.94 feet; thence N78°16'22"E for 128.82 feet; thence S79°27'10"E for 141.97 feet; thence S78°54'11"E for 118.47 feet; thence N84°35'20"E for 120.21 feet; thence S85°48'28"E for 115.80 feet; thence N84°00'24"E for 078.87 feet; thence N77°11'37"E for 099.86 feet; thence N57°24'54"E for 259.36 feet; thence N53°05'20"E for 199.80 feet; thence N61°47'03"E for 161.06 feet; thence N55°55'15"E for 098.54 feet; thence N29°00'58"E for 097.13 feet; thence N45°24'19"W for 141.15 feet; thence N38°01'30"W for 218.13 feet; thence N17°56'48"W for 158.05 feet; thence N06°56'38"W for 190.47 feet; thence N03°12'59"E for 096.86 feet; thence N51°04'34"E for 111.68 feet; thence N86°19'05"E for 180.30 feet; thence S60°38'01"E for 082.20 feet; thence S47°48'59"E for 145.82 feet; thence S57°16'42"E for 099.13 feet; thence S80°04'04"E for 063.78 feet; thence S89°54'24"E for 123.62 feet; thence N60°59'21"E for 295.38 feet; thence N49°24'02"E for 104.28 feet; thence N20°25'58"E for 113.22 feet; thence N34°22'45"E for 153.31 feet; thence N36°29'07"E for 385.51 feet; thence N52°12'30"E for 085.82 feet; thence S77°56'04"E for 077.77 feet; thence S89°25'49"E for 111.46 feet; thence S55°46'26"E for 111.81 feet; thence S49°21'18"E for 111.68 feet; thence S28°01'54"E for 082.77 feet; thence S46°32'34"E for 247.78 feet; thence S49°00'10"E for 313.02 feet; thence S15°24'12"E for 228.32 feet; thence S05°31'57"W for 122.91 feet; thence S11°34'32"W for 106.10 feet; thence S19°54'35"W for 217.00 feet to the N boundary of the SW1/4 of the SW1/4 of Section 7; thence S87°55'04"W for 1,264.35 feet to the NW corner of the SW1/4 of the SW1/4 of Section 7; thence S0°46'17"E along the W boundary of said 1/4-1/4 section for 1,297.79 feet to the point of beginning, containing \pm 100.5 acres.

It is the intent of this instrument to convey title to that land acquired by grantor by virtue of a warranty deed executed on April 29, 1987 at Real Book 129, page 368 in the Shelby County Probate Records, whether or not correctly described above.

SOURCE OF TITLE: Real Book 129 Page 368

Parcel II

A tract of land lying in the NW ¼ of Section 13, Township 24 North, Range 11 East, Shelby County, and the SW ¼ of Section 13, Township 24 North, Range 11 East, Bibb County, being more particularly described as follows:

Commence at the NE corner of the NE ¼ of the NW ¼ of Section 13, Township 24 North, Range 11 East; thence run South 87 degrees 00 minutes 26 seconds West a distance of 689.88 feet to the point of beginning; thence continue along last described course a distance of 689.86 feet; thence run South 02 degrees 55 minutes 36 seconds East a distance of 3,008.85 feet to the north bank of Shoal Creek; thence run North 73 degrees 48 minutes 16 seconds East a distance of 85.85 feet along said creek; thence run North 62 degrees 20 minutes 30 seconds East a distance of 276.58 feet along said creek; thence run North 39 degrees 29 minutes 23 seconds East a distance of 80.60 feet along said creek; thence run North 43 degrees 46 minutes 43 seconds East a distance of 83.45 feet along said creek; thence run South 88 degrees 01 minute 57 seconds East a distance of 46.29 feet along said creek; thence run South 76 degrees 12 minutes 02 seconds East a distance of 114.72 feet along said creek; thence run South 74 degrees 30 minutes 04 seconds East a distance of 88.55 feet along said creek; thence North 02 degrees 55 minutes 36 seconds West a distance of 2,822.45 feet to the point of beginning.

SOURCE OF TITLE: Inst. #1999-49715

Parcel III

A tract of land lying in and being a part of the SW $\frac{1}{4}$ of Section 12 and the NW $\frac{1}{4}$ of Section 13, Township 24 North, Range 11 East, Shelby County, and the SW $\frac{1}{4}$ of Section 13, Township 24 North, Range 11, East, Bibb County, being more particularly described as follows:

Beginning at the NE corner of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 13, Township 24 North, Range 11 East; thence run South 02 degrees 55 minutes 36 seconds East a distance of 2,955.28 feet to the North bank of Shoal Creek; thence run South 73 degrees 05 minutes 25 seconds West a distance of 116.24 feet along said creek; thence run North 76 degrees 15 minutes 02 seconds West a distance of 175.16 feet along said creek; thence run North 61 degrees 04 minutes 44 seconds West a distance of 116.18 feet along said creek; thence run North 87 degrees 14 minutes 42 seconds West a distance of 121.50 feet along said creek; thence run North 84 degrees 32 minutes 33 seconds West a distance of 145.15 feet along said creek; thence run North 74 degrees 29 minutes 59 seconds West a distance of 48.59 feet along said creek; thence run North 02 degrees 55 minutes 36 seconds West a distance of 2,822.45 feet; thence run South 87 degrees 00 minutes 27 seconds West a distance of 689.86 feet; thence North 02 degrees 02 minutes 57 seconds East a distance of 739.24 feet; thence run North 88 degrees 11 minutes 22 seconds East a distance of 332.00 feet; thence run North 02 degrees 02 minutes 57 seconds East a distance of 591.00 feet; thence run North 88 degrees 11 minutes 22 seconds East a distance of 1,012.11 feet; thence run South 00 degrees 34 minutes 45 seconds West a distance of 1,299.89 feet to the point of beginning.

SOURCE OF TITLE: Inst. #1999-49717



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Parcel IV

All that part of the W-1/2 of the SE-1/4 lying North and West of Old Montevallo and Centreville dirt road, except a strip of land of uniform width being 338 feet wide off of the West side of that part of the W-1/2 of said SE-1/4 lying South of Shoal Creek; also all that part of the SE-1/4 of the SE-1/4 lying North and West of Old Montevallo and Centreville dirt road; all being in Section 13, Township 24, Range 11 East, Bibb County, Alabama.

ALSO, all that part of the NE-1/4 of SE-1/4 of Section 13, Township 24, Range 11 East, lying North and West of Old Montevallo and Centreville dirt road; being situated in Shelby County, Alabama.

ALSO, all that part of S-1/2 of NW-1/4 of Section 18, lying North and West of the Old Montevallo and Centreville dirt road; Also, NE-1/4 of NW-1/4 and all that part of the N-1/2 of SW-1/4, lying North and West of Old Montevallo and Centreville dirt road; all being in Section 18, Township 24, Range 12 East, Shelby County, Alabama;

ALSO, surface rights to the following land: SW-1/4 of SW-1/4 of Section 7, Township 24, Range 12 East; also all of the NE-1/4 of Section 13, Township 24, Range 11 East; Also, NW-1/4 of NW-1/4 of Section 18, Township 24, Range 12 East, all in Shelby County, Alabama;

ALSO, A parcel of land lying and being in Section 13, Township 24 North, Range 11 East, and more particularly described as follows: Begin at the intersection of the West side of the SE-1/4 of the SE-1/4 of said Section 13, Township 24 North, Range 11 East, with the North boundary of Alabama Highway No. 25 for point of beginning; thence Westerly along the North right of way line of said Highway a distance of 981.62 feet to a fence, the accepted property line; thence at an angle of 89 deg. 46 min. to the right and run along said fence 382.42 feet; thence turn an angle of 121 deg. 55 min. to the right and run along the old Montevallo-Centreville Road 125.12 feet; thence turn an angle of 10 deg. 25 min. to the left and continue along said road 383.38 feet; thence turn an angle of 5 deg. 49 min. to the left and continue along said road 392.0 feet; thence turn an angle of 14 deg. 33 min. to the left and run along said road 483.4 feet; thence turn an angle of 89 deg. 06 min. to the right and run 65.93 feet to the north boundary of said Alabama Highway No. 25; thence Westerly along said Highway right of way 341.3 feet to the point of beginning; containing 5.42 acres. LESS AND EXCEPT MINERAL RIGHTS.

BUT LESS AND EXCEPT:

✓
A parcel of land containing 19.53 acres, located in the NE¼ of the SW¼ and a portion of the SE¼ of the NW¼, Section 18, Township 24 North, Range 12 East, Shelby County, Alabama, described as follows: Commence at the Northeast corner of said NE¼ of the SW¼ and run South 02 degrees 05 minutes East along the East boundary of said ¼-¼ section 1059.60 feet to an iron pipe at the intersection of the North right of way of Alabama Highway No. 25; thence run South 68 degrees 57 minutes 51 seconds West along said right of way 43.11 feet to an iron pin; thence run North 02 degrees 05 minutes West 826.38 feet to an iron pin; thence run South 68 degrees 55 minutes 16 seconds West 1083.13 feet to

an iron pin; thence run North 15 degrees 53 minutes 52 seconds West 711.61 feet to an iron pin; thence run North 71 degrees 56 minutes 57 seconds East 1282.50 feet to the intersection of the East boundary of said SE $\frac{1}{4}$ of the NW $\frac{1}{4}$; thence run South 02 degrees East along said boundary 444.06 feet to the point of beginning, as depicted on survey prepared by Moore & Arnold Surveying, dated December 12, 2008 (LESS AND EXCEPT Parcel No. 1).

AND FURTHER LESS AND EXCEPT

A parcel of land containing 14.44 acres, located in the North $\frac{1}{2}$ of the Northwest $\frac{1}{4}$, Section 18, and a portion of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$, Section 7, all in Township 24 North, Range 12 East, Shelby County, Alabama described as follows: Commence at the SE corner of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$, Section 18 and run North 02 degrees 19 minutes 05 seconds West along the East boundary of said $\frac{1}{4}$ - $\frac{1}{4}$ section 444.06 feet to an iron pin, said point being the point of beginning; thence continue on the same line 2246.87 feet to a fence corner post; thence run South 88 degrees 04 minutes 35 seconds West along a fence line 1329.26 feet to a fence corner post; thence run North 02 degrees 31 minutes 36 seconds West along a fence line 993.62 feet to a fence post at the South bank of Shoal Creek; thence run South 89 degrees 26 minutes 14 seconds West 20.01 feet along said bank to an iron pin; thence run South 02 degrees 31 minutes 36 seconds East 1053.13 feet to an iron pin in the centerline of old road; thence run South 89 degrees 59 minutes 28 seconds West along said centerline 147.82 feet; thence run North 85 degrees 10 minutes 16 seconds West along said centerline 76.18 feet; thence run South 57 degrees 57 minutes 56 seconds West along said centerline 37.90 feet to an iron pin; thence run South 11 degrees 54 minutes 28 seconds West along said centerline 125.54 feet; thence run South 25 degrees 38 minutes 16 seconds West along said centerline 50.45 feet; thence run South 27 degrees 17 minutes 04 seconds West along said centerline 49.0 feet; thence run South 06 degrees 15 minutes 58 seconds West along said centerline 30.0 feet; thence run South 20 degrees 02 minutes 02 seconds East along said centerline 30.0 feet; thence run South 38 degrees 49 minutes 06 seconds East along said centerline 55.77 feet to an iron pin; thence run South 02 degrees 09 minutes 01 seconds East along a wire fence 441.38 feet; thence run South 43 degrees 20 minutes 16 seconds East along said fence 160.88 feet; thence run North 87 degrees 59 minutes 26 seconds East along said fence 412.36 feet to an iron pin in the centerline of a gravel road; thence run North 15 degrees 53 minutes 19 seconds East along said centerline 307.04 feet to an iron pin; thence run North 03 degrees 25 minutes 39 seconds East along said centerline 68.80 feet; thence run North 0 degrees 00 minutes East 137.28 feet along said centerline; thence run North 08 degrees 48 minutes 41 seconds East along said centerline 95.14 feet; thence run North 15 degrees 04 minutes 53 seconds East along said centerline 61.30 feet; thence run North 16 degrees 53 minutes 34 seconds East along said centerline 86.12 feet; thence run North 06 degrees 07 minutes 48 seconds East along said centerline 51.18 feet; thence run North 25 degrees 17 minutes 13 seconds West along said centerline 43.44 feet to an iron pin; thence run North 59 degrees 09 minutes 03 seconds West along said centerline 53.61 feet; thence run North 83 degrees 05 minutes 57

seconds West along said centerline 85.62 feet; thence run North 88 degrees 27 minutes 21 seconds West along said centerline 234.68 feet to an iron pin; thence run North 02 degrees 31 minutes 36 seconds West 39.33 feet to an iron pin; thence run North 88 degrees 04 minutes 35 seconds East 1309.18 feet to an iron pin; thence run South 02 degrees 19 minutes 05 seconds East 2232.64 feet to an iron pin; thence run North 71 degrees 56 minutes 57 seconds East 20.78 feet to the point of beginning as depicted on survey prepared by Moore & Arnold Surveying, dated December 11, 2008 (LESS AND EXCEPT Parcel 2).

SUBJECT TO:

1. Easements to Alabama Power Company recorded in Deed Book 127, Page 508; in Deed Book 127, Page 329; in Deed Book 133, Page 583, in Deed Book 136, Page 326; in Deed Book 147, Page 95, in Deed Book 181, Page 29.
2. Easement to Alabama Power Company recorded in Bibb County, Alabama, in Deed Book 33, Page 434; in Deed Book 33, Page 437, and in Deed Book 62, Page 340.
3. Easement to Southern Bell Tel. & Tel. Co. recorded in Deed Book 254, Page 262, in Shelby County, Alabama.
4. Road rights of way to Bibb County, recorded in Bibb County, Alabama, in Deed Book 36, Page 145, and in Deed Book 36, Page 152.
5. Rights of way to Shelby County and/or Bibb County, of record.
6. Right of way to Shelby County, recorded in Probate Office of Shelby County, Alabama, in Deed Book 74, Page 96.
7. Easements to Alabama Power Company recorded in Bibb County, Alabama, in Deed Book 33, Page 434; in Deed Book 33, Page 436; in Deed Book 33, Page 437; and in Deed Book 62, Page 334.
8. Right of way deeds as recorded in the Probate Office of Bibb County, Alabama, in Deed Book 36, Page 145, and in Deed Book 36, Page 152.
9. Less and except right of way for Alabama Highway No. 25.

SOURCE OF TITLE: Deed Book 319 page 78

Shelby County, AL 02/20/2009
State of Alabama

Deed Tax: \$50.00

[No title search was performed at the request of the Grantor and the Grantee.]