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**THIS INSTRUMENT WAS PREPARED BY:**

M. Beth O'Neill, Esq.  
Maynard, Cooper & Gale, P.C.  
1901 Sixth Avenue North  
2400 AmSouth/Harbert Plaza  
Birmingham, Alabama 35203

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**SEND TAX NOTICE TO:**

Carmeuse Lime & Stone, Inc.  
Attn: General Counsel  
11 Stanwix Street, 11<sup>th</sup> Floor  
Pittsburgh, PA 15222

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STATE OF ALABAMA     )  
COUNTY OF SHELBY    )

**GENERAL WARRANTY DEED**

**KNOW ALL MEN BY THESE PRESENTS**, that for and in consideration of the sum of Two Hundred Thousand and No/100 Dollars (\$200,000.00) and other good and valuable consideration to the undersigned Grantor in hand paid by the Grantee herein, the receipt whereof is acknowledged, I, **DOUGLAS WAYNE EPPERSON**, a married man (the "Grantor"), do hereby grant, bargain, sell and covey unto **CARMEUSE LIME & STONE, INC.**, a Delaware corporation (the "Grantee"), that certain real property lying and being situated in Shelby County, Alabama, as more particularly described on Exhibit A, attached hereto (the "Property").

**THE PROPERTY DOES NOT CONSTITUTE THE HOMESTEAD OF GRANTOR OR GRANTOR'S SPOUSE.**

It is expressly understood and agreed that this conveyance is made subject to the following:

1. Ad valorem taxes for the 2010 tax year, which are a lien but are not yet due and payable.
2. Transmission Line Permit(s) to Alabama Power Company recorded in Deed Book 130, Page 217, in the Probate Office of Shelby County, Alabama.
3. Right of way to Alabama Power Company recorded in Inst. No. 20061212000600660 in said Probate Office.
4. Right of way to Shelby County as set forth in Lis Pendens Book 2, Page 171, in said Probate Office.

As a primary consideration to Grantee to consummate the purchase of the Property, Grantor, for himself and his present and former heirs and assigns (collectively, "Grantor Parties"), hereby fully settle, release from, and covenant not to sue Grantee, or any of its present or former agents, officers, owners, representatives, employees, insurers, predecessors, successors or assigns (collectively, "Grantee Parties") for, any and all claims or damages, compensatory or punitive, known or unknown, that Grantor Parties now have or might in the future have against Grantee Parties, including, without limitation, claims for property damage, personal injury (including death, disability and emotional distress), or other losses, sustained by Grantor Parties, relating in any way to





(a) the Property, (b) Grantors' ownership, use, enjoyment and occupancy of the Property, (c) Grantee's mining, quarrying or other actions affecting the Property, and (d) any other action or inaction of Grantee Parties.

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

And I do for myself and for my heirs, executors, administrators, and assigns covenant with the said Grantee, its successors and assigns, that I am lawfully seized in fee simple of said premises; that it is free from all encumbrances, unless otherwise noted above; that I have a good right to sell and convey the same as aforesaid; that I will and my heirs, executors and administrators shall warrant and defend the same to the said Grantee, its successors and assigns forever, against the lawful claims of all persons.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal on this the 15<sup>th</sup> day of December, 2009.

  
DOUGLAS WAYNE EPPERSON

STATE OF ALABAMA

COUNTY OF JEFFERSON

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Douglas Wayne Epperson, whose name 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 said instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 15<sup>th</sup> day of December, 2009.

  
Notary Public  
My Commission Expires: 7/26/2013  
[SEAL]



20091218000462990 2/3 \$217.00  
Shelby Cnty Judge of Probate, AL  
12/18/2009 11:06:47 AM FILED/CERT



## **EXHIBIT A**

### **[Legal Description]**

A tract of land being situated in the SE 1/4 of the NW 1/4 and the SW 1/4 of the NW 1/4 of Section 16, Township 21 South, Range 2 West of the Huntsville Meridian, Shelby County, Alabama, being more particularly described as follows:

Commencing at a 5/8" rebar at the SE corner of the SE 1/4 of the NW 1/4 of said Section 16; thence along the South line of said 1/4-1/4 N 86°17'23" W for a distance of 341.62 feet to a 5/8" capped rebar set (CA-627-LS) and the Point of Beginning; thence continue along said South line N 87°12'37" W for a distance of 592.96 feet to a fence corner and a 5/8" capped rebar set (CA-627-LS); thence continue N 87°28'16" W for a distance of 716.15 feet to a fence corner and a 5/8" capped rebar set (CA-627-LS); thence leaving said South 1/4-1/4 line N 04°11'12" E for a distance of 534.29 feet to the South right-of-way line of Saginaw Cut Road (80' right-of-way) and a 5/8" capped rebar set (CA-627-LS); thence along said right-of-way the following four calls; S 82°02'39" E for a distance of 359.92 feet to a 5/8" capped rebar set (CA-627-LS); thence S 82°07'21" E for a distance of 569.01 feet to a 5/8" capped rebar set (CA-627-LS); thence S 82°04'43" E for a distance of 225.01 feet to a concrete right-of-way marker; thence S 81°47'48" E for a distance of 66.01 feet to a 5/8" capped rebar set (CA-627-LS); thence leaving said South right-of-way line S 08°05'19" E for a distance of 429.36 feet to the Point of Beginning of said described tract containing 13.78 acres, more or less, situated in the SE 1/4 of the NW 1/4 and the SW 1/4 of the NW 1/4 of Section 16, Township 21 South, Range 2 West of the Huntsville Meridian, Shelby County, Alabama.

  
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