

SPECIAL WARRANTY DEED

STATE OF Georgia
COUNTY OF WINNETT

KNOW ALL MEN BY THESE PRESENTS, That in consideration of **One Million, One Hundred, Thousand and no/100's Dollars (\$1,100,000.00)** and other good and valuable consideration to the undersigned grantor,

FIFTH THIRD BANK, N.A.

(hereinafter referred to a GRANTOR) in hand paid by the GRANTEEES the receipt whereof is hereby acknowledged the said GRANTOR does by these presents, grant, bargain, sell and convey unto

MACY C. SMITH

(hereinafter referred to as GRANTEE) the following described real estate situated in Shelby County, Alabama, to-wit:

Begin at the Southwest corner of the Southwest Quarter of the Northeast Quarter of Section 25, Township 20 South, Range 3 West, Shelby County, Alabama, and run North 00 degrees 13 minutes 04 seconds East along the West line of said Northeast Quarter for 2,669.99 feet to the Northwest corner of said Northeast Quarter of Section 25, thence run North 00 degrees 18 minutes 32 seconds West along the West line of the Southeast Quarter of Section 24, Township 20 South, Range 3 West for 1,321.06 feet to the Southeast corner of the Southwest Quarter of Section 24, Township 20 South, Range 3 West; thence run North 89 degrees 55 minutes 41 seconds West along the South line of said Southwest Quarter for 1,979.01 feet to a point on the East right of way line of US Highway No. 31, said point begins on a curve to the right having a radius of 2,126.80 feet and a central angle of 12 degrees 40 minutes 42 seconds; thence run along said right of way line a chord bearing of North 00 degrees 04 minutes 25 seconds West for 470.62 feet; thence run South 80 degrees 12 minutes 50 seconds East for 416.43 feet; thence run North 09 degrees 44 minutes 50 seconds East for 208.49 feet; thence run North 80 degrees 07 minutes 11 seconds West for 418.85 feet to a point on the East right of way line of US Highway No. 31, said point being on a curve to the right having a radius of 2,126.80 feet and a central angle of 01 degrees 09 minutes 25 seconds; thence run along said right of way line a chord bearing of North 12 degrees 28 minutes 55 seconds East for 42.94 feet; thence run South 80 degrees 15 minutes 10 seconds East for 329.24 feet; thence run North 09 degrees 51 minutes 12 seconds East for 653.12 feet to a point on the North line of the Northwest Quarter of the Southwest Quarter of said Section 24; thence run North 79 degrees 45 minutes 09 seconds west for 331.95 feet to a point on the East right of way line of US Highway No. 31; thence run North 09 degrees 33 minutes 43 seconds East for 935.41 feet to a point on the East right of way line of Atlantic Coast Railroad, said point being on a curve to the left having a radius of 2,

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057.53 feet; thence run along said curve and said right of way line a chord bearing of South 70 degrees 03 minutes 19 seconds East for 245.55 feet; thence run South 73 degrees 28 minutes 27 seconds East for 4.45 feet; thence run South 63 degrees 13 minutes 41 seconds West for 94.59 feet; thence run North 89 degrees 49 minutes 55 seconds West for 130.00 feet; thence run South 81 degrees 38 minutes 02 seconds East for 70.00 feet; thence South 39 degrees 38 minutes 02 seconds East for 359.54 feet; thence run North 52 degrees 17 minutes 58 seconds East for 236.36 feet; thence run South 73 degrees 28 minutes 26 seconds East for 1,337.61 feet; thence run North 00 degree 07 minutes 33 seconds West for 104.12 feet to a point on the Southerly right of way line of Atlantic Coast Railroad and the Point of Beginning of a curve to the right having a radius of 1,659.00 feet; thence run along said curve and said right of way line a chord bearing of South 36 degrees 15 minutes 09 seconds East for 2,098.74 feet to the Point of a Tangent to said curve; thence run South 00 degrees 00 minutes 40 seconds East along said tangent and said right of way line for 1,513.83 feet; thence run North 88 degrees 36 minutes 21 seconds West for 613.85 feet; thence run South 00 degrees 09 minutes 19 seconds West for 2,668.56 feet to a point on the South line of the Southwest Quarter of the Northeast Quarter of said Section 25; thence run North 88 degrees 44 minutes 08 seconds West along said Quarter-Quarter line for 658.47 feet to the Point of Beginning.

TRACT IIA

Commence at the Southwest corner of the Southeast Quarter of Section 24, Township 20 South, Range 3 West and run South 88 degrees 36 minutes 21 seconds East along the South line of said Quarter section for 1,369.47 feet to a point on the East right of way line of Atlantic Coast Railroad and the Point of Beginning of the tract of land herein described. Said Point of Beginning begin on the East right of way line of Atlantic Coast Railroad; thence continue along the last described course for 155.49 line of Interstate Highway No. 65; said point being on a curve to the left having a radius of 28,497.89 feet; thence run along said right of way line a chord bearing of North 04 degrees 33 minutes 37 seconds West for 1,299.22 feet; thence run North 23 degrees 40 minutes 51 seconds West for 130.53 feet to a point on the East right of way line of Atlantic Coast Railroad; thence run South 00 degrees 00 minutes 40 seconds East along said right of way line for 1,410.75 feet to the Point of beginning.

TRACT IIB

Commence at the Southwest corner of the Southwest Quarter of the Northeast Quarter of Section 24, Township 20 South, Range 3 West and run North 89 degrees 18 minutes 03 seconds East along the South line of said Quarter-Quarter section for 791.29 feet to a point on the Southwest right of way line of Atlantic Coast Railroad; thence run South 56 degrees 20 minutes 32 seconds East for 344.43 feet to a point on the Northwest right of way line of said railroad and the Point of Beginning of the tract herein described; thence run North 55 degrees 37 minutes 47 seconds East for 38.96 feet; thence North 36 degrees 13 minutes 56 seconds West for 417.29 feet; thence run North 61 degrees 28 minutes 04 seconds West for 204.96 feet; thence run South 36 degrees 26 minutes 33 seconds West for 31.47 feet to a point on the Northeast right of way line of said railroad; said right of way line having a radius of 1,759.00 feet; thence run along said right of way line a chord bearing of South 45 degrees 27 minutes 19 seconds East for 600.14 feet to the Point of beginning.



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Parcel II

A parcel of land situated in the Northwest Quarter of the Southwest Quarter of Section 24, Township 20 South, Range 3 West, Huntsville Meridian, Shelby County, Alabama, and being more particularly described as follows:

Commence at the Northeast corner of the Southeast Quarter of the Southwest Quarter of Section 24, Township 20 South, Range 3 West Shelby County, Alabama; thence run North 89 degrees 55 minutes 41 seconds West along the North line of said Quarter-Quarter for a distance of 1,979.01 feet to the Easterly right of way of Highway No. 31 (Right of Way Width 200 feet); said point also being the point of a curvature of a curve to the right, having a radius of 2,126.80 feet, a central angle of 12 degrees 40 minutes 42 seconds, a chord length of 469.66 feet and a chord bearing of North 00 degrees 04 minutes 25 seconds West; thence continue along the arc of said curve and said right of way for a distance of 470.62 feet to the Point of Beginning; said point also being the point of curvature of a curve to the right, having a radius of 2,126.80 feet, a central angle of 05 degrees 38 minutes 17 seconds, a chord length of 209.20 feet and a chord bearing North 09 degrees 05 minutes 05 seconds East; thence continue along the arc of said curve and said right of way for a distance of 209.28 feet; thence leaving said right of way run South 80 degrees 07 minutes 52 seconds East for a distance of 418.28 feet; thence run South 09 degrees 35 minutes 26 seconds West for a distance of 208.58 feet; thence run North 80 degrees 12 minutes 50 seconds West for a distance of 416.43 feet to the Point of beginning.

Subject to:

- 1. 2011 and subsequent years ad valorem taxes.**
- 2. Easements to the City of Pelham recorded in the Office of the Judge of Probate of Shelby County, Alabama.**
- 3. Less and except any part of that condemnation case #19-27B recorded in the Office of the Judge of Probate of Shelby County, Alabama.**
- 4. Agreement between the City of Pelham and Colonial Pipe Line Company recorded in the Office of the Judge of Probate of Shelby County, Alabama.**
- 5. Right of Way to Interstate Highway I-65 recorded in the Office of the Judge of Probate of Shelby County, Alabama.**
- 6. Easements to Colonial Pipe Line Company recorded in the Office of the Judge of Probate of Shelby County, Alabama.**
- 7. Easement to South Central Bell recorded in the Office of the Judge of Probate of Shelby County, Alabama.**
- 8. Rights of way to Shelby County, Alabama recorded in the Office of the Judge of Probate of Shelby County, Alabama.**



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9. Rights of way to Atlantic Coastline Railroad recorded in the Office of the Judge of Probate of Shelby County, Alabama.

10. Rights of way to Alabama Power Company recorded in the Office of the Judge of Probate of Shelby County, Alabama.

11. Rights of way to City of Pelham recorded in the Office of the Judge of Probate of Shelby County, Alabama.

12. Ingress and egress to and from caption lands.

13. 10 foot right of way recorded in the Office of the Judge of Probate of Shelby County, Alabama.

14. Denial of Alabama, all existing, future or potential common law of statutory rights of access between subject property and I-65.

15. Title to mineral and mining rights, privileges and immunities.

16. All easements, covenants, conditions, restrictions and other agreements and other matters of record.

17. All matters that would be disclosed by a recent and accurate survey of the above described property.

18. Municipal, zoning and subdivision laws and ordinances.

GRANTOR only warrants title from the time GRANTOR obtained title until the date GRANTOR conveys its interest in the aforesaid property to GRANTEE.

TO HAVE AND TO HOLD, unto the said GRANTEE, his heirs, successors and assigns forever.

IN WITNESS WHEREOF, the said GRANTOR, by its officer who is authorized to execute this conveyance has hereunto set its signature and seal this the _____ day of May, 2011.

ATTEST:



FIFTH THIRD BANK

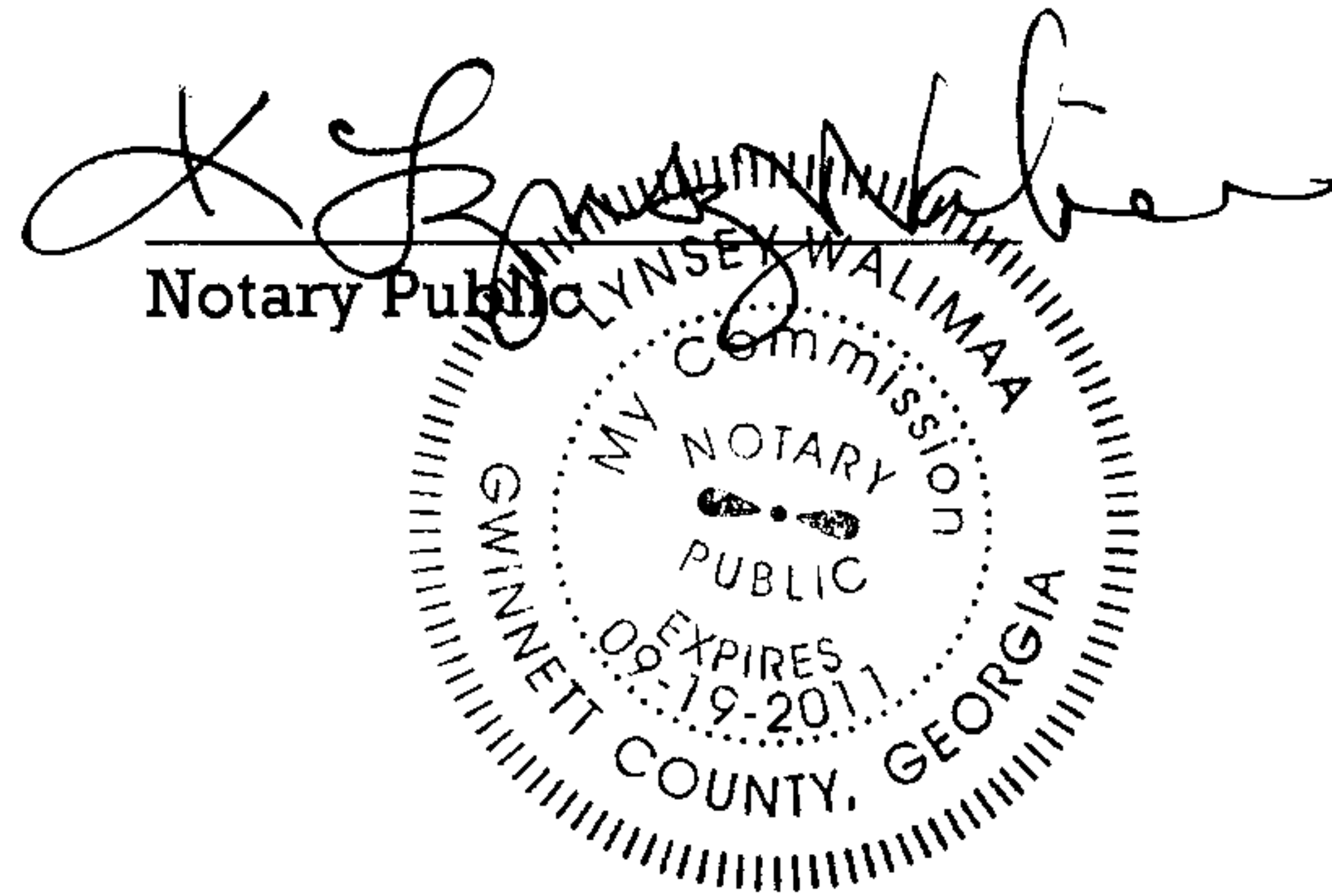

Its VICE PRESIDENT

STATE OF GEORGIA
COUNTY OF WINNETT


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I, the undersigned, a Notary Public in and for said County, in said State hereby certify that, SHIRLEY DUKWORTH, whose name as VICE PRESIDENT of Fifth Third Bank, N.A. is signed to the foregoing conveyance and who is known to me, acknowledged before me, 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 Fifth Third Bank

Given under my hand and seal this the 11TH day of May, 2011



THIS INSTRUMENT PREPARED BY:
F. Wayne Keith, Attorney
15 Southlake Lane, Suite 150
Birmingham, Alabama 35244

SEND TAX NOTICE TO:
Macy C. Smith
15 Southlake Lane, Suite 100
Birmingham, Alabama 35244

