

**Hanson Pipe & Precast LLC**  
**300 E. John Carpenter Freeway**  
**Irving Texas 75062**

**STATE OF ALABAMA** )  
 )  
**COUNTY OF SHELBY** )

**KNOW ALL MEN BY THESE PRESENTS**, that for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) in hand paid to **Sherman Industries LLC**, a Delaware limited liability company, successor in interest to Sherman Industries, Inc., an Alabama corporation and the successor by merger to Hill Concrete & Supply Company, Inc. (hereinafter, the "Grantor"), the receipt whereof is hereby acknowledged, Grantor grants, bargains, sells and conveys, subject to the matters set forth on **Exhibit B** hereto, unto **Hanson Pipe & Precast LLC**, a Delaware limited liability company, successor in interest to Hanson Pipe & Products Southeast, Inc., a Florida corporation (hereinafter, the "Grantee"), the real property described on **Exhibit A** hereto together with all easements and other appurtenances thereto together with an easement for a setback area with the right to prohibit the construction or installation of any buildings and other structures on the portion of the portion of Grantor's adjacent property described on **Exhibit C** hereto; provided however that such setback easement shall not prohibit the use of the setback easement area by Grantor for the storage of materials thereon. The Grantor hereby covenants and agrees with 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.


**GRANTOR IS NOT MAKING AND HAS NOT AT ANY TIME MADE ANY WARRANTIES OR REPRESENTATIONS OF ANY KIND OR CHARACTER, EXPRESS OR IMPLIED, WITH RESPECT TO THE PROPERTY, INCLUDING, BUT NOT LIMITED TO, ANY WARRANTIES OR REPRESENTATIONS AS TO HABITABILITY, MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, ZONING, TAX CONSEQUENCES, OPERATING HISTORY OR PROJECTIONS, VALUATION, GOVERNMENTAL APPROVALS, GOVERNMENTAL REGULATIONS, OR ANY OTHER MATTER OR THING REGARDING THE PROPERTY. GRANTEE HEREBY ACCEPTS THE PROPERTY "AS IS, WHERE IS, WITH ALL FAULTS. GRANTEE HAS CONDUCTED SUCH INVESTIGATIONS OF THE PROPERTY, INCLUDING BUT NOT LIMITED TO, THE PHYSICAL AND ENVIRONMENTAL CONDITIONS THEREOF, AS GRANTEE HAS DEEMED NECESSARY TO SATISFY ITSELF AS TO THE CONDITION OF THE PROPERTY. GRANTEE ACCEPTS THE PROPERTY SUBJECT TO ANY ADVERSE MATTERS, INCLUDING BUT NOT LIMITED TO, ANY ADVERSE PHYSICAL AND ENVIRONMENTAL CONDITIONS, THAT MAY NOT HAVE BEEN REVEALED BY GRANTEE'S INVESTIGATIONS.**

654592 ACCM

GRANTEE HEREBY WAIVES, RELINQUISHES AND RELEASES AND HOLDS GRANTOR HARMLESS FROM AND AGAINST ANY AND ALL CLAIMS, DEMANDS, CAUSES OF ACTION (INCLUDING CAUSES OF ACTION IN TORT [I.E., NEGLIGENCE AND STRICT LIABILITY]), LOSSES, DAMAGES, LIABILITIES, COSTS AND EXPENSES (INCLUDING REASONABLE ATTORNEYS' FEES AND COURT COSTS) OF ANY AND EVERY KIND OR CHARACTER, KNOWN OR UNKNOWN, FIXED OR CONTINGENT, WHICH GRANTEE MIGHT HAVE ASSERTED OR ALLEGED AGAINST GRANTOR AT ANY TIME BY REASON OF OR ARISING OUT OF ANY PHYSICAL AND ENVIRONMENTAL CONDITIONS, THE VIOLATION OF ANY APPLICABLE LAWS AND ANY AND ALL OTHER MATTERS REGARDING THE PROPERTY.

IN WITNESS WHEREOF, Grantor has hereunto caused this instrument to be executed effective as of the 1<sup>st</sup> day of September, 2014.

**SHERMAN INDUSTRIES LLC,**  
A Delaware limited liability company

By:   
Printed Name: Michael H. Hyer  
Its: Vice President



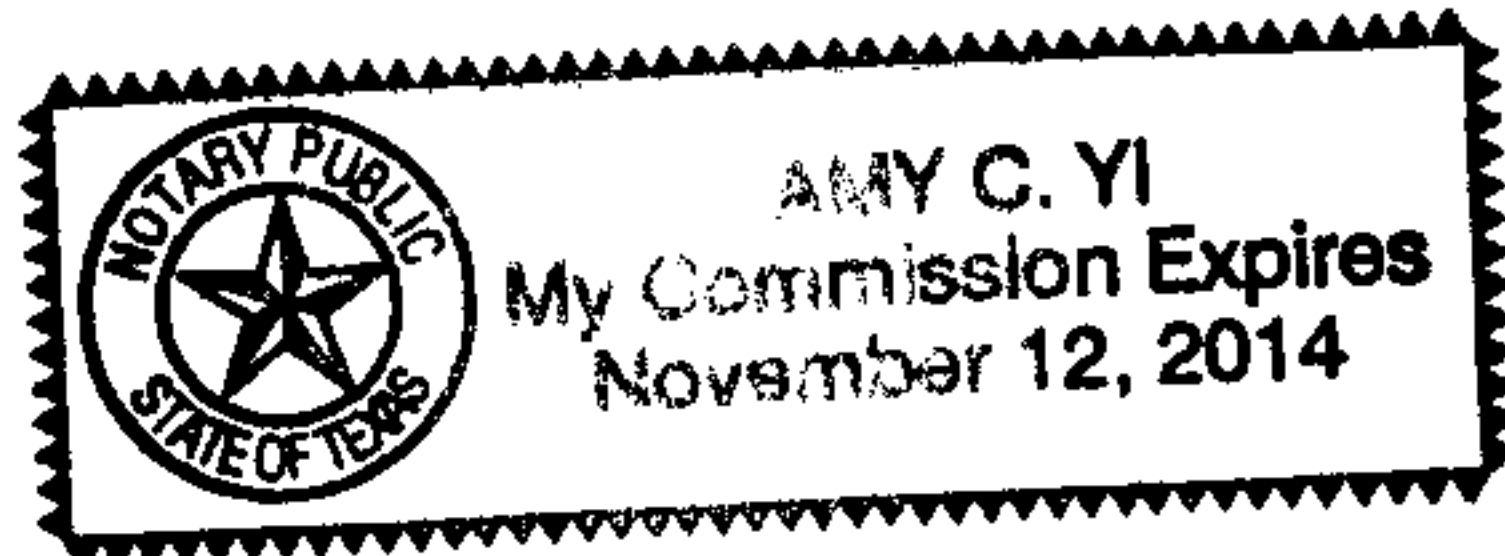
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Shelby Cnty Judge of Probate, AL  
12/03/2014 09:11:06 AM FILED/CERT



STATE OF Texas )  
COUNTY OF Dallas )

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Michael H. Hyer, whose name as Vice President of **Sherman Industries LLC**, a Delaware limited liability company, 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, as such officer and with full authority, executed the same voluntarily for and as the act of said limited liability company.

Given under my hand this 5<sup>th</sup> day of September, 2014.



[NOTARIAL SEAL]

A handwritten signature of the Notary Public, Amy C. Yi, written in ink.

Notary Public

My Commission expires: November 12, 2014

**This instrument was prepared by:**

Diana J. Bearden  
Strasburger & Price, LLP  
901 Main Street, Suite 4400  
Dallas, Texas 75202



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## **Exhibit A**

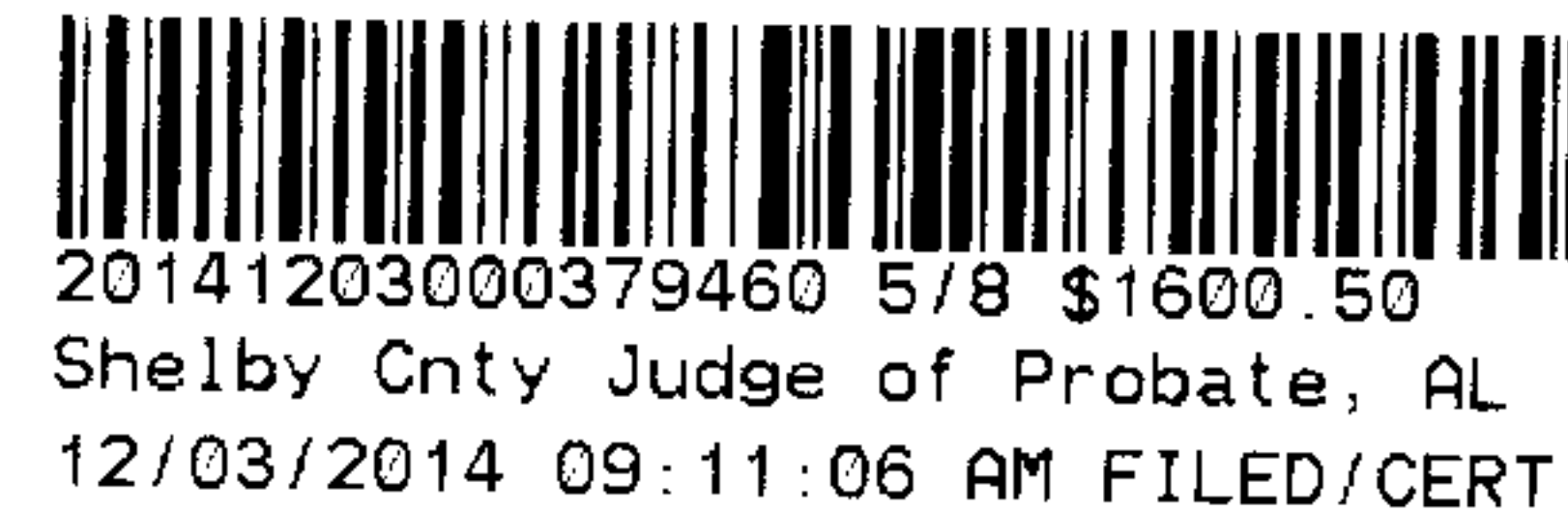
### **Description of Property**

Lot 1 of the Plat of Sherman Industries, Inc., Subdivision at Pelham Industrial Park, a Commercial Subdivision situated in the North Half of Section 14, Township 20 South, Range 3 West, City of Pelham, Shelby County, Alabama, as the same was filed for record on June 1, 2005, in the Office of the Judge of Probate of Shelby County, Alabama, in Map Book 35, Page 38.



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**Exhibit B**  
**Exceptions**



1. Lien for 2014 ad valorem taxes.
2. Matters that would be reflected on a current survey of the property.
3. Any minerals or mineral rights leased, granted or retained by prior owners.
4. Reservations, covenants, restrictions, easements and rights-of-way heretofore imposed upon subject property and as shown on the Plat of Sherman Industries', Inc., Subdivision at Pelham Industrial Park, a Commercial Subdivision, situated in the North Half of Section 14, Township 20 South, Range 3 West, City of Pelham, Shelby County, Alabama, as the same was filed for record on June 1, 2005, in the Office of the Judge of Probate of Shelby County, Alabama, in Map Book 35, Page 38.
5. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto, as recorded in Instrument #1993-8256, in the Office of the Judge of Probate of Shelby County, Alabama.
6. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto, as recorded in Deed Book 11, Page 344, in the Office of the Judge of Probate of Shelby County, Alabama.
7. Rights, conditions, easements and rights-of-way in Deed Volume 36, Pages 254 and 342, in the Office of the Judge of Probate of Shelby County, Alabama.
8. Right-of-Way in favor of Southern Natural Gas Company recorded in Deed Book 90, Page 296, in the Office of the Judge of Probate of Shelby County, Alabama.
9. Rights-of-Way granted to Alabama Power Company by instruments recorded in Instrument #1997 -2603; Deed Book 101, Page 94; Deed Book 242, Page 446; Deed Book 127, Page 9; Deed Book 127, Page 566; Deed Book 169, Page 19, in the Office of the Judge of Probate of Shelby County, Alabama.
10. Restrictions, conditions and limitations as recorded in Deed Book 157, Page 123, as modified by instrument recorded in Deed Book 240, Page 573, in the Office of the Judge of Probate of Shelby County, Alabama.
11. Water Works Board Easement recorded in Deed Book 178, Page 29, in the Office of the Judge of Probate of Shelby County, Alabama.



**Exhibit B**  
**(cont'd)**



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12. Tract and Tract Lease Agreement respectively to Atlantic Coastline Railroad Company recorded in Deed Book 187, Page 339; Deed Book 187, Page 346; and Deed Book 148, Page 258, in the Office of the Judge of Probate of Shelby County, Alabama.
13. Right-of-Way in favor of Shelby County, Alabama, recorded in Deed Book 196, Page 65, in the Office of the Judge of Probate of Shelby County, Alabama.
14. Lease, Right-of-Way and Agreement in favor of the Atlantic Coastline Railroad Company dated December 7, 1963, and recorded in Deed Book 229, Page 792, and Deed Book 229, Page 797, in the Office of the Judge of Probate of Shelby County, Alabama.
15. Agreement by and between T. E. Watson and Georgene M. Watson and Hill Concrete & Supply Company, Inc., as shown by instrument recorded in Deed Book 240, Page 585, in the Office of the Judge of Probate of Shelby County, Alabama.
16. Easements and rights-of-way in favor of South Central Bell Telephone Company recorded in Deed Book 285, Page 183, in the Office of the Judge of Probate of Shelby County, Alabama.
17. Easements recorded in Deed Book 341, Page 74 and Real Volume 157, Page 596, in the Office of the Judge of Probate of Shelby County, Alabama.

## EXHIBIT C

### Description of Setback Easement Area

A 10' Easement situated in the SE 1/4 of the NW 1/4 of Section 14, Township 20 South, Range 3 West, Shelby County, Alabama and being more particularly described as follows:

Commence at the NW Corner of the SE 1/4 of the NW 1/4 of said Section 14; thence run East along the North line of said 1/4-1/4 section, a distance of 1018.33 feet; thence turn 90°19'28" right for a distance of 87.35 feet to the POINT OF BEGINNING; thence continue along the last described course, for a distance of 47.18 feet; thence turn 90°23'46" left, for a distance of 227.97 feet; thence turn 90°00'00" right, for a distance of 10.00 feet; thence turn 90°00'00" right, for a distance of 237.97 feet; thence turn 90°23'46" right, for a distance of 57.18 feet; thence turn 90°00'00" right, for a distance of 10.00 feet to the POINT OF BEGINNING.



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# Real Estate Sales Validation Form

This Document must be filed in accordance with Code of Alabama 1975, Section 40-22-1

Grantor's Name SHERMAN INDUSTRIES LLC  
Mailing Address 300 E JOHN CARPENTER  
FREEMAN  
IRVING, TEXAS 75062

Grantee's Name HANSON PIPE & PRECAST LLC  
Mailing Address 300 E JOHN CARPENTER  
FREEMAN  
IRVING, TEXAS 75062

Property Address 400 INDUSTRIAL PARK  
PELHAM AL, 35124

Date of Sale 09-01-14  
Total Purchase Price \$ -0-



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or  
Actual Value \$ \_\_\_\_\_

or  
Assessor's Market Value \$ 1,565,370 (LOT 1)

The purchase price or actual value claimed on this form can be verified in the following documentary evidence: (check one) (Recordation of documentary evidence is not required)

☐ Bill of Sale  
☐ Sales Contract  
☐ Closing Statement

☒ Appraisal  
☒ Other ASSESSED VALUE

If the conveyance document presented for recordation contains all of the required information referenced above, the filing of this form is not required.

## Instructions

Grantor's name and mailing address - provide the name of the person or persons conveying interest to property and their current mailing address.

Grantee's name and mailing address - provide the name of the person or persons to whom interest to property is being conveyed.

Property address - the physical address of the property being conveyed, if available.

Date of Sale - the date on which interest to the property was conveyed.

Total purchase price - the total amount paid for the purchase of the property, both real and personal, being conveyed by the instrument offered for record.

Actual value - if the property is not being sold, the true value of the property, both real and personal, being conveyed by the instrument offered for record. This may be evidenced by an appraisal conducted by a licensed appraiser or the assessor's current market value.

If no proof is provided and the value must be determined, the current estimate of fair market value, excluding current use valuation, of the property as determined by the local official charged with the responsibility of valuing property for property tax purposes will be used and the taxpayer will be penalized pursuant to Code of Alabama 1975 § 40-22-1 (h).

I attest, to the best of my knowledge and belief that the information contained in this document is true and accurate. I further understand that any false statements claimed on this form may result in the imposition of the penalty indicated in Code of Alabama 1975 § 40-22-1 (h).

Date 11-3-14

Print MICHAEL H. HYER

☒ Unattested

Sign [Signature]

(verified by)

(Grantor/Grantee/Owner/Agent) circle one