

This instrument was prepared by:
 John F. De Buys, Jr.
 2100 Sixteenth Avenue South
 Birmingham, Alabama 35205

Send Tax Notice to:

P.O. Box 10744
 Birmingham, AL 35202

WARRANTY DEED

STATE OF ALABAMA)
 SHELBY COUNTY)

KNOW ALL MEN BY THESE PRESENTS That in consideration of Three Hundred Seven Thousand, Seven Hundred Fifteen and Eighty-Four/100 Dollars (\$307,715.84) to the undersigned grantor in hand paid by the grantee herein, and the assumption of 61.5% of the hereinafter described mortgage, the receipt whereof is acknowledged, JOHNSON, RAST AND HAYS CO., INC. (herein referred to as grantor) does hereby grant, sell and convey unto WILLIAM P. PHILLIPS and ROBERT E. CRUCE (herein referred to as grantees) an undivided 61.5% interest in the following described real estate, situated in Shelby County, Alabama, to-wit:

LEGAL DESCRIPTION;

A tract of land situated in the NW 1/4 of SW 1/4 of Section 19, Township 19 South, Range 2 West, Shelby County, Alabama, and being more particularly described as follows:

Commence at the SW corner of Section 19, Township 19 South, Range 2 West; thence North along West section line 1506.75 feet to an intersection with baseline of the East bound lane of Riverchase Parkway East; thence 71 degrees, 40 minutes, 55 seconds right and run along said baseline 75.54 feet to the beginning of a curve to the left; thence continue along curve 220.45 feet, said curve having a central angle of 24 degrees, 15 minutes, 00 seconds and a radius of 520.86 feet; thence continue on a tangent of said baseline 171.06 feet to the beginning of a curve to the right; thence continue along curve 71.21 feet to a point, said curve having a central angle of 6 degrees, 45 minutes, 53 seconds and a radius of 603.10 feet; thence 90 degrees, 00 minutes, 00 seconds right, tangent to curve 42.00 feet to the South right-of-way line of Riverchase Parkway - East and the point of beginning; thence 90 degrees, 00 minutes, 00 seconds left, tangent to a curve to the right, 323.19 feet along said right-of-way line, said curve having a central angle of 33 degrees, 00 minutes, 17 seconds and a radius of 561.10 feet; thence continue tangent to said right-of-way curve in a Northeasterly direction, 140.32 feet to the beginning of a curve to the left; thence continue along said curve 24.94 feet; said curve having a central angle of 01 degrees, 49 minutes, 43 seconds and a radius of 781.30 feet, to a curve to the right; thence continue along curve 36.94 feet, said curve having a central angle of 84 degrees, 40 minutes, 05 seconds and a radius of 25.00 feet; thence continue tangent to said curve and along the West right-of-way line of a new road in a Southeasterly direction 170.68 feet; thence 90 degrees, 00 minutes, 00 seconds right from said right-of-way line in a Southwesterly direction 22.35 feet to a point on the 422 foot contour line M.S.L. Datum; thence along said contour line in a Southwesterly, Northerly and Westerly direction 644+ feet; thence North 81 degrees, 33 minutes, 10 seconds West, 51.17 feet to a point; thence North 35 degrees, 48 minutes, 07 seconds West 19.92 feet perpendicular to the South right-of-way line of Riverchase Parkway - East, and the point of beginning and containing 1.68 acres, or 73.374 sq. ft. Mineral and mining rights excepted.

SUBJECT TO:

1. The terms and conditions of that certain mortgage from Thomas E. Rast and Minnie H. Rast to The Equitable Life Assurance Society of the United States recorded in Mortgage Book 365, page 515, in the Probate of Shelby County, Alabama.

Rides Peterson

BOOK 005 PAGE 270

2. Taxes due in the year 1984, a lien, but not yet payable.
3. Oil, gas, petroleum and sulphur excepted in Deed Book 127, page 140.
4. Right of way to Alabama Power Company in Deed Book 252, page 184, and Deed Book 304, page 16.
5. The Declaration of Protective Covenants, agreements, easements, charges and liens for Riverchase (Business) recorded in Misc. Book 13, page 50 and as amended in Misc. Book 15, page 189 by Amendment No. 1.
6. Agreement in favor of Alabama Power Company recorded in Misc. Book 15, page 401.
7. A 20 foot sanitary sewer easement, 10 foot drainage easement and flood easement as shown on Survey by John E. Norton, dated 5/6/76.

Grantees herein agree to assume 61.5% of that certain mortgage from Thomas E. Rast and Minnie H. Rast to The Equitable Life Assurance Society of the United States recorded in Mortgage Book 365, page 515, in the Probate of Shelby County, Alabama.

And said Johnson, Rast and Hays Co., Inc. does for itself, its successors and assigns, covenant with said grantees, their heirs and assigns, that they are lawfully seized in fee simple of said premises, that they are free from all encumbrances, except as shown above, that it has a good right to sell and convey the same as aforesaid, and that it will, and its successors and assigns shall, warrant and defend the same to the said William P. Phillips and Robert Cruce, their heirs, executors and assigns forever, against the lawful claims of all persons.

TO HAVE AND TO HOLD to the said grantee, its successors and assigns forever.

IN WITNESS WHEREOF, We have hereunto set our hands and seals this day of October 9, 1984.

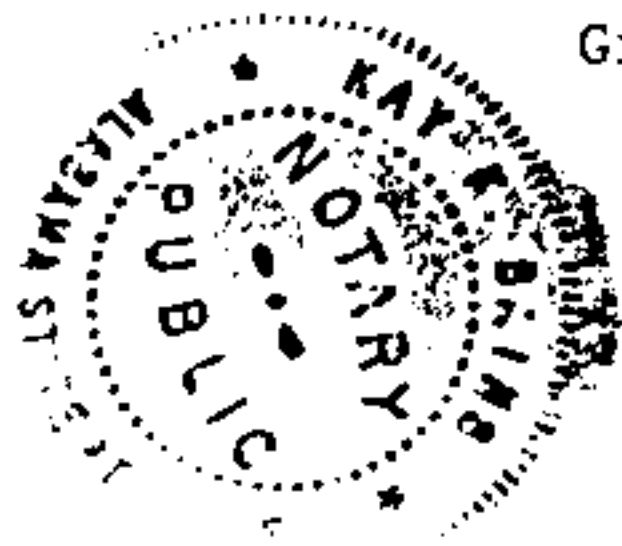
JOHNSON, RAST AND HAYS CO., INC.

Robert E. Rast
President

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County and in said State, hereby certify that Robert E. Rast whose name as President of Johnson, Rast and Hays Co., Inc. 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 in his capacity as President executed same voluntarily on the day the same bears date.

Given under my hand and official seal this 9th day of October, 1984.



Kay H. Bains
Notary Public

STATE OF ALABAMA)
JEFFERSON COUNTY)
INSTRUMENT NO. 11-42

1984 OCT 11 AM 11:42

F. Rast
JUDGE

RECORDING FEES

Mortgage Tax	\$	
Deed Tax		<u>308.00</u>
Mineral Tax		
Recording Fee		<u>5.00</u>
Index Fee		<u>1.00</u>
TOTAL	\$	<u>314.00</u>