

208

SEND TAX NOTICE TO:
Richard David Vining
P. O. Box 200
Winfield, Alabama 35594

THIS INSTRUMENT WAS PREPARED BY:
JOHN T. BLACK, BLACK AND MORGAN, ATTORNEYS
3432 Independence Drive
Birmingham, Alabama 35209

CORPORATION FORM WARRANTY DEED, JOINTLY FOR LIFE WITH REMAINDER TO SURVIVOR

STATE OF ALABAMA)
COUNTY OF SHELBY) KNOW ALL MEN BY THESE PRESENTS,

That in consideration of Fifty Six Thousand Four Hundred Seventy Four and No/100 Dollars (\$56,474.00), to the undersigned grantor, POST WELDING SUPPLY COMPANY, a corporation, (herein referred to as Grantor), in hand paid by the Grantees herein, the receipt of which is hereby acknowledged, the said Grantor does by these presents, grant, bargain, sell and convey unto Richard David Vining and wife, Donna Leigh Vining, (herein referred to as Grantees) for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, together with every contingent remainder and right of reversion, the following described real estate, situated in Shelby County, Alabama.

PARCEL NO. 16, according to the map and plat of a Resurvey of Whispering Pines Farms, as recorded in Map Book 13, Page 131, in the Office of the Judge of Probate of Shelby County, Alabama, more particularly described by metes and bounds as follows:

Begin at the northeast corner of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 12, Township 21 South, Range 5 West, Shelby County, Alabama and run thence S 3 $^{\circ}$ 52' 11" E along the east line of said quarter quarter section a distance of 1,329.71' to the southeast corner of same said quarter quarter section, thence run S 86 $^{\circ}$ 57' 56" W a distance of 606.80' to a point, thence run S 86 $^{\circ}$ 56' 44" W a distance of 766.85 to a point, thence run S 86 $^{\circ}$ 58' 51" W a distance of 1,181.49' to a point, thence run S 30 $^{\circ}$ 38' 09" E a distance of 1,004.37' to a point on the northerly right of way line of Highway No. 13, thence run westerly along said right of way line in a curve to the left having a central angle of 1 $^{\circ}$ 42' 46" and a radius of 5,465.00' an arc distance of 163.36' to a point, thence run N 3 $^{\circ}$ 17' 00" W a distance of 213.39' to a point, thence run N 30 $^{\circ}$ 32' 00" W a distance of 619.12' to a point, thence run N 44 $^{\circ}$ 30' 00" W a distance of 178.61' to a point, thence run S 86 $^{\circ}$ 46' 18" W a distance of 655.10' to a point, Thence run N 3 $^{\circ}$ 52' 16" W a distance of 1,329.85' to a point on the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 11, Thence run N 86 $^{\circ}$ 48' 56" E along said quarter quarter line a distance of 655.01 to the northwest corner of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 12, Township 21 South, Range 5 West, then run N 86 $^{\circ}$ 57' 34" E along the north line of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said section 12 a distance of 2,658.21' to the point of beginning, containing 102.68 acres, more or less.

LESS AND EXCEPT: Coal, oil, gas and other mineral interests in, to or under the land herein described and all mining rights together with all rights, privileges and immunities relating thereto.

This conveyance is subject to the restrictive covenant hereby imposed by Grantor that no mobile home and/or house trailer shall be placed upon or be permitted to remain on any part of the said described real estate, which said restriction shall run with the said land.

THIS CONVEYANCE IS SUBJECT TO:

1. All taxes for the year 1990 and subsequent years, not yet due and payable.
2. Easement to Plantation Pipeline Company as recorded in Volume 112, page 389, Volume 112, page 388, Volume 112, page 390, Volume 112, page 577 and Volume 257, page 602 in the Probate Office of Shelby County, Alabama.

BOOK 264 PAGE 469

3. Mining and mineral rights and rights incident thereto as recorded 316, page 211 and Volume 350, page 534 in the Probate Office of Shelby County, Alabama.
4. Right of way to Alabama Power Company as recorded in real 133, page 607 in the Probate Office of Shelby County, Alabama.
5. Right of Way to Shelby County as recorded in Volume 221, page 403 in the Probate Office of Shelby County, Alabama.
6. Sixty (60) foot wide non-exclusive easement for purposes of ingress and egress and public utility service shown on Resurvey of Whispering Pines Farms as recorded in Map Book 13, Page 131 in the Probate Office of Shelby County, Alabama and as recorded in Deed Book 128, page 830 in the Probate Office of Bibb County, Alabama.
7. Rights of parties in possession, encroachments, overlaps, unrecorded easements, deficiency in quantity of ground, or any matters not of record, which would be disclosed by an accurate survey and inspection of the premises.

TO HAVE AND TO HOLD, to the said Grantees for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, and to the heirs and assigns of such survivor forever, together with every contingent remainder and right of reversion. And said Grantor does for itself, its successors and assigns, covenant with said Grantees, their heirs and assigns, that it is 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 Grantees, their heirs, executors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said Grantor by its Vice-President, F. Daniel Thomas, who is authorized to execute this conveyance, has hereto set its signature and seal this the 1st day of November, 1989.

ATTEST:

[Signature]

POST WELDING SUPPLY COMPANY, a corporation
BY: *[Signature]*
F. DANIEL THOMAS, ITS VICE-PRESIDENT

STATE OF ALABAMA
COUNTY OF JEFFERSON

I, John T. Black, a Notary Public in and for said County in said State, hereby certify that F. Daniel Thomas, whose name as Vice-President of Post Welding Supply Company, a 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.

Given under my hand and official seal, this the 1st day of November, 1989.

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED

89 NOV -2 PM 3:03

[Signature]
JUDGE OF PROBATE

Notary Public

My Commission expires

4-21-99

RETURN TO:

JOHN T. BLACK
BLACK AND MORGAN, ATTORNEYS
3432 Independence Drive
Birmingham, Alabama 35209

POST WELDING SUPPLY COMPANY

TO

RICHARD DAVID VINING AND WIFE,
DONNA LEIGH VINING

WARRANTY DEED

STATE OF ALABAMA)
SHELBY COUNTY)

OFFICE OF THE JUDGE OF PROBATE:

1. Deed Tax -----	\$ 56.50
2. Mtg. Tax -----	\$ 5.00
3. Recording Fee -----	\$ 3.00
4. Indexing Fee -----	\$ 1.00
5. No Tax Fee -----	\$ 0.00
6. Certified Stamp Fee --	\$ 1.00
Total -----	\$ 65.50