

926000-142,500.00

SEND TAX NOTICE TO:

ZABEL FAMILY TRUST  
3428 INDIAN LAKE DRIVE  
PELHAM, AL. 35124

Inst # 1997-15557

This instrument prepared by:

WALLACE, ELLIS, FOWLER & HEAD  
Attorneys at Law  
Columbiana, Alabama 35051

STATUTORY WARRANTY DEED

STATE OF ALABAMA

COUNTY OF SHELBY

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of ONE DOLLAR (\$1.00) and other good and valuable consideration and pursuant to the terms of the Last Will and Testament of Charles A. Zabel, deceased, to the undersigned Grantors herein, in hand paid by the Grantees herein, the receipt whereof is acknowledged, we, Jean B. Zabel and Charles G. Stout, as Executors of the Last Will and Testament of Charles A. Zabel, deceased, grant, bargain, sell and convey unto Jean B. Zabel and Charles G. Stout, as Trustees of the Charles A. Zabel Family Trust UW, dated April 30, 1996, the following described real estate, situated in Shelby County, Alabama, to-wit:

Property described on Exhibit "A" attached hereto and made part and parcel hereof as fully as if set out herein, which said Exhibit "A" is signed by Grantors herein for the purpose of identification.

TO HAVE AND TO HOLD to the said Grantees, their heirs and assigns forever.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this the 6 day of May, 1997.

Jean B. Zabel  
Jean B. Zabel, Executor of the Last  
Will and Testament of Charles A.  
Zabel, deceased

Charles G. Stout  
Charles G. Stout, Executor of the  
Last Will and Testament of Charles  
A. Zabel, deceased

Inst # 1997-15557

05/19/1997-15557  
12:44 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
004 NEL 150.50

STATE OF ALABAMA  
COUNTY OF SHELBY

I, the undersigned authority, a Notary Public, in and for said County in said State, hereby certify that Jean B. Zabel, as Executor of the Last Will and Testament of Charles A. Zabel, deceased, 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 such instrument, she, as Executor of the Last Will and Testament of Charles A. Zabel, deceased, executed the same voluntarily on the date the same bears date.

Given under my hand and official seal, this the 15  
day of May, 1997.

  
\_\_\_\_\_  
Notary Public  
MY COMMISSION EXPIRES JANUARY 14, 1999

STATE OF ALABAMA FLORIDA  
COUNTY OF Broward

I, the undersigned authority, a Notary Public, in and for said County in said State, hereby certify that Charles G. Stout, as Executor of the Last Will and Testament of Charles A. Zabel, deceased, 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 such instrument, he, as Executor of the Last Will and Testament of Charles A. Zabel, deceased, executed the same voluntarily on the date the same bears date.

Given under my hand and official seal, this the 6  
day of May, 1997.

  
\_\_\_\_\_  
Notary Public



NOTARY PUBLIC, STATE OF FLORIDA  
SUSAN PERSKY  
COMMISSION NO. CO-287730  
MY COMMISSION EXPIRES  
JUN. 30, 1997

EXHIBIT "A"

Commence at the SW corner of the SE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 32, Township 19, Range 2 West and run thence south along the quarter section line a distance of 560.01 feet to the point of beginning; from said point of beginning, run thence south along the quarter section line a distance of 323.44 feet more or less to the center of the old creek bed; thence run in a northeasterly direction 260.32 feet along the center line of the old creek bed; thence run in a northwesterly direction a distance of 180 feet more or less to the point of beginning.

Also, a tract of land in the NE $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 31, Township 19 South, Range 2 West and the NW $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 32, Township 19 South, Range 2 West, Shelby County, Alabama, more particularly described as follows:

Begin at the NE corner of the NE $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 31, Township 19 South, Range 2 West; thence south along the east line of Section 31, Township 19 South, Range 2 West a distance of 560.01 feet to the point of beginning; thence continuing south along said east line of Section 31, Township 19 South, Range 2 West a distance of 323.44 feet to a point in the center line of the old creek bed; thence 151° 19' to the left in a northeasterly direction along the center line of the old creek bed a distance of 260.32 feet to a point; thence 103° 18' to the right in a southeasterly direction continuing along the center line of the old creek bed a distance of 384.92 feet to a point; thence 44° 30' 30" to the right in a southeasterly direction continuing along the center line of the old creek bed a distance of 201.28 feet to a point on a meander line on the south bank of Cahaba Creek being, the center line of Cahaba Creek being the southeast boundary line; thence 91° 17' to the right in a southwesterly direction along the meander line on the south bank of Cahaba Creek a distance of 91.54 feet to a point; thence 41° 04' to the left continuing in a southwesterly direction along said meander line a distance of 226.80 feet to a point; thence 13° 35' to the right in a southwesterly direction along said meander line a distance of 60.2 feet to a point; thence 39° 05' 30" to the right in a northwesterly direction along said meander line a distance of 116.43 feet to a point on the west line of Section 32, Township 19 South, Range 2 West; thence 99° 23' to the left in a southerly direction along the west line of said Section 32, Township 19 South, Range 2 West, a distance of 33.20 feet to the SE corner of the NE $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 31, Township 19 South, Range 2 West; thence 135° 35' 30" to the right in a northwesterly direction along the NW diagonal of the NE $\frac{1}{4}$  of SE $\frac{1}{4}$  a distance of 1004.17 feet to a point of intersection of said NW diagonal of the NE $\frac{1}{4}$  of SE $\frac{1}{4}$  and the southeasterly right of way line of the Cahaba Valley Road; thence 104° 43' to the right in a northeasterly direction along the southeasterly right of way line of said Cahaba Valley Road a distance of 538.14 feet to the (PC) point of a curve; thence in a curve to the left having a radius of 2919.60 feet and a central angle of 0° 23' 03" a distance of 19.58 feet to a point; thence 78° 26' 30" to the right (angle measured from tangent of said curve in a southeasterly direction a distance of 165.09 feet to a point; thence 1° 20' to the left a distance of 156.70 feet to the point of beginning.


LESS AND EXCEPT a tract of land as shown on the right of way map of Project No. I-65-2 (37) as recorded in the Office of the Judge of Probate of Shelby County, Alabama:


Commencing at the southwest corner of the NE $\frac{1}{4}$  of SE $\frac{1}{4}$ , Section 31, T-19-S, R-2-W, thence northerly along the west line of said NE $\frac{1}{4}$  of SE $\frac{1}{4}$ , a distance of 309 feet, more or less, to the present southeast right-of-way line of Alabama Highway No. 119, thence northeasterly along said present southeast right-of-way line, a distance of 756 feet, more or less, to the southwest line of the property herein to be conveyed and the point of beginning; thence continuing northeasterly along said present southeast right-of-way line (crossing the centerline of Project No. I-65-2 (37) at approximate Station 270+53) a distance of 588 feet, more or less, to the northeast property line, thence southeasterly along said northeast property line, a distance of 275 feet, more or less, to a point on a line which extends from a point that is 170 feet southeasterly of and at right angles to the centerline of said highway at Station 83+00 to a point that is 270 feet northeasterly of and at right angles to the centerline of said project at Station 263+90; thence southwesterly along said line, a distance of 526 feet, more or less, to said point that is 270 feet northeasterly of and at right angles to the centerline of said project at Station 263+90; thence southeasterly along a straight line (which if extended would intersect a point that is 200 feet northeasterly of and at right angles to the centerline of the right lane of said project at Station 258+60.3) a distance of 242 feet, more or less, to the southwest property line; thence northwesterly along said southwest property line (crossing the centerline of said project at approximate Station 264+43) a distance of 966 feet, more or less, more or less, to the point of beginning. Said strip of land lying in the NE $\frac{1}{4}$  of SE $\frac{1}{4}$ , Section 31, T-19-S, R-2-W and containing 7.87 acres, more or less.

ALSO LESS AND EXCEPT an easement to a strip of land necessary for the construction and maintenance of a channel change and being more fully described as follows: Commencing at the southwest corner of the NE $\frac{1}{4}$  of SE $\frac{1}{4}$ , Section 31, T-19-S, R-2-W, thence easterly along the south line of said NE $\frac{1}{4}$  of SE $\frac{1}{4}$ , a distance of 1092 feet, more or less, to the centerline of Project No. I-65-2 (37); thence N 4° 43' 15" W along the centerline of said project, a distance of 112 feet, more or less, to Station 262+50; thence turn an angle of 90° 00' to the right and run a distance of 445 feet to the point of beginning of the property herein to be conveyed, thence southwesterly along a straight line, a distance of 202 feet, more or less, to a point that is northeasterly of and at right angles to the centerline of said project at Station 261+75, said point being on a line which extends from a point that is 270 feet northeasterly of and at right angles to the centerline of said project at Station 263+90 to a point that is 200 feet northeasterly of and at right angles to the centerline of the right lane of said project at Station 258+60.3; thence southeasterly along said line (which if extended would intersect said point that is 200 feet northeasterly of and at right angles to the centerline of the right lane of said project at Station 258+60.3) a distance of 29 feet, more or less, to the southwesternmost property line, thence southeasterly along said southwesternmost property line, a distance of 48 feet, more or less, to the south property line; thence easterly along said south property line, a distance of 27 feet, more or less, to the east line of said NE $\frac{1}{4}$  of SE $\frac{1}{4}$ , the east property line; thence northerly along said east property line, a distance of 40 feet, more or less, to the southwest property line; thence southeasterly along said southwest property line, a distance of 115 feet, more or less, to the southeast property line; thence northeasterly along said southeast property line, a distance of 87 feet, more or less, to a point on a line which extends from a point that is 500 feet northeasterly of and at right angles to the centerline of said project at Station 261+12 to a point that is 445 feet northeasterly of and at right angles to the centerline of said project at Station 262+50; thence northwesterly along said line, a distance of 107 feet, more or less, to the point of beginning.

Said strip of land lying in the NE $\frac{1}{4}$  of the SE $\frac{1}{4}$ , Section 31, and the NW $\frac{1}{4}$  of the SW $\frac{1}{4}$ , Section 32, T-19-S, R-2-W, and containing 0.42 acres, more or less, situated and being in Shelby County, Alabama.

SIGNED FOR IDENTIFICATION:

  
Jean B. Zabel, Executor of  
the Last Will and Testament of  
Charles A. Zabel, deceased

  
Charles G. Stout, Executor of  
the Last Will and Testament of  
Charles A. Zabel, deceased

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