

Send tax notice to:  
John David Shepherd  
2006 Old Montgomery Road  
Birmingham, AL 35244

This instrument prepared by:  
James R. Moncus, Jr.  
1313 Alford Avenue  
Birmingham, AL 35226

STATE OF ALABAMA  
COUNTY OF SHELBY

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of Two Hundred Twenty-Five Thousand and no/100 Dollars (\$225,000.00) in hand paid to the undersigned, Jean B. Zabel and Charles G. Stout, as Trustees of the Charles A. Zabel Family Trust under the Will of Charles A. Zabel, deceased, Case No. 35-056, (hereinafter referred to as the "Grantor") by John David Shepherd and wife, Teresa L. Shepherd (hereinafter referred to as the "Grantees"), the receipt and sufficiency of which is hereby acknowledged, the Grantor does, by these presents, grant, bargain, sell, and convey unto the Grantees, as joint tenants, with right of survivorship, the following described real estate situated in Shelby County, Alabama, to-wit:

SEE ATTACHED EXHIBIT "A" FOR LEGAL  
DESCRIPTION.

(\$226,407.00 of the purchase price was paid from a mortgage loan closed simultaneously with delivery of this deed.)

TO HAVE AND TO HOLD unto the Grantees, as joint tenants, with right of survivorship, their heirs, executors, administrators and assigns forever.

Inst # 1997-18185

06/10/1997-18185  
11:17 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
004 MCD 17.00

The Grantor does for itself, its successors and assigns, covenant with Grantees, their heirs, executors, administrators and assigns, that it is lawfully seized in fee simple of said premises; that they are free from all encumbrances except as noted 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 Grantees, their heirs, executors, administrators and assigns forever against the lawful claims of all persons.

IN WITNESS WHEREOF, the Grantor, by Jean B. Zabel, Trustee, and by Jean B. Zabel, as attorney-in-fact for Charles G. Stout, Trustee, who is authorized to execute this conveyance, as Trustees of the Charles A. Zabel Family Trust, under the Will of Charles A. Zabel, deceased, Case No. 35-056, has hereunto set its signature and seal on this the 7th day of June, 1997.

Jean B. Zabel and Charles G. Stout  
as Trustees of the Charles A. Zabel  
Family Trust under the Will of Charles A.  
Zabel, deceased, Case No. 35-056

By: Jean B. Zabel, Trustee  
JEAN B. ZABEL, TRUSTEE

Charles G. Stout by Jean B. Zabel  
By: Zabel, as attorney-in-fact  
JEAN B. ZABEL, AS ATTORNEY-IN-FACT  
FOR CHARLES G. STOUT, TRUSTEE

STATE OF ALABAMA

)

JEFFERSON COUNTY

:

)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Jean B. Zabel, whose name as Trustee of the Charles A. Zabel Family Trust under the Will of Charles A. Zabel, deceased, Case No. 35-056, 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, she, as such officer and with full authority, executed the same voluntarily for and as the act of said Family Trust under the Will of Charles A. Zabel, deceased, Case No. 35-056.

Given under my hand and official seal this the 4<sup>th</sup>  
day of June, 1997.

Notary Public

[NOTARIAL SEAL]

My Commission expires: 2/23/2000

STATE OF ALABAMA

)

JEFFERSON COUNTY

:

)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Jean B. Zabel, whose name as attorney-in-fact for Charles G. Stout, as Trustee of the Charles A. Zabel Family Trust under the Will of Charles A. Zabel, deceased, Case No. 35-056, 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, she, as such officer and with full authority, executed the same voluntarily for and as the act of said Charles G. Stout, in her capacity as his said attorney-in-fact, for and as the act of said Family Trust under the Will of Charles A. Zabel, deceased, Case No. 35-056.

Given under my hand and official seal this the 4<sup>th</sup>  
day of June, 1997.

Notary Public

[NOTARIAL SEAL]

My Commission expires: 2/23/2000

EXHIBIT "A"

Inst # 1997-18185

06/10/1997-18185  
11:17 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
004 MCD 17.00

Inst # 1997-18185

**PARCEL I:**

Commence at the NW corner of Section 36, Township 19 South, Range 3 West, thence run in a Southerly direction along the West line of said Section for a distance of 73.19 feet to the point of beginning; from the point of beginning thus obtained; thence continue along last described course for a distance of 244.59 feet; thence turn an angle to the left of 61 degrees, 23 minutes, 07 seconds and run in a Southeasterly direction for a distance of 550.16 feet; thence turn an angle to the left of 90 degrees and run in a Northeasterly direction for a distance of 214.72 feet; thence turn an angle to the left of 90 degrees and run in a Northwesterly direction for a distance of 667.30 feet to the point of beginning. According to boundary survey prepared by Coulter & Gay Engineering Company, Inc. dated August 23, 1979, the above being a description of Lot 6 of Indian Lake Estates.

**PARCEL II:**

Begin at the NW corner of Section 36, Township 19 South, Range 3 West, run thence in a Southerly direction along the West line of said Section for a distance of 73.19 feet; thence turn an angle to the left of 61 degrees, 23 minutes, 07 seconds and run in a Southeasterly direction for a distance of 667.30 feet; thence turn an angle to the left of 90 degrees and run in a Northeasterly direction for a distance of 151.70 feet; thence turn an angle to the left of 90 degrees and run in a Northwesterly direction for a distance of 140 feet; thence turn an angle to the right of 59 degrees, 48 minutes, 19 seconds and run in a Northerly direction for a distance of 188.10 feet to a point on the North line of Section 36, Township 19 South, Range 3 West; thence turn an angle to the left of 87 degrees, 55 minutes, 51 seconds and run in a Westerly direction along the North line of said Section for a distance of 530.38 feet to the point of beginning. According to boundary survey prepared by Coulter & Gay Engineering Company, Inc. dated August 23, 1979, the above being a description of Lot 5 of Indian Lake Estates.

**SUBJECT TO:**

1. Ad valorem taxes due and payable October 1, 1997.
2. Restrictions and covenants appearing of record in Real Volume 153, Page 185, and Real Volume 153, Page 186.
3. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto.