

6741

WARRANTY DEED

STATE OF ALABAMA
SHELBY COUNTY

KNOW ALL MEN BY THESE PRESENTS:

THAT in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, to the undersigned grantor (whether one or more), in hand paid by the grantee herein, the receipt whereof is acknowledged, I or we, Robert J. Dow, a married man, Gilder L. Wideman, a married man, and Elmar Lawaczeck, a married man (herein referred to as grantors, (whether one or more), grant, bargain, sell and convey unto Bret G. Winford, (herein referred to as grantee), the following described real estate, situated in Shelby County, Alabama, to-wit:

Inst # 2002-03786

01/23/2002-03786

08:59 AM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE

005 CH 23.50

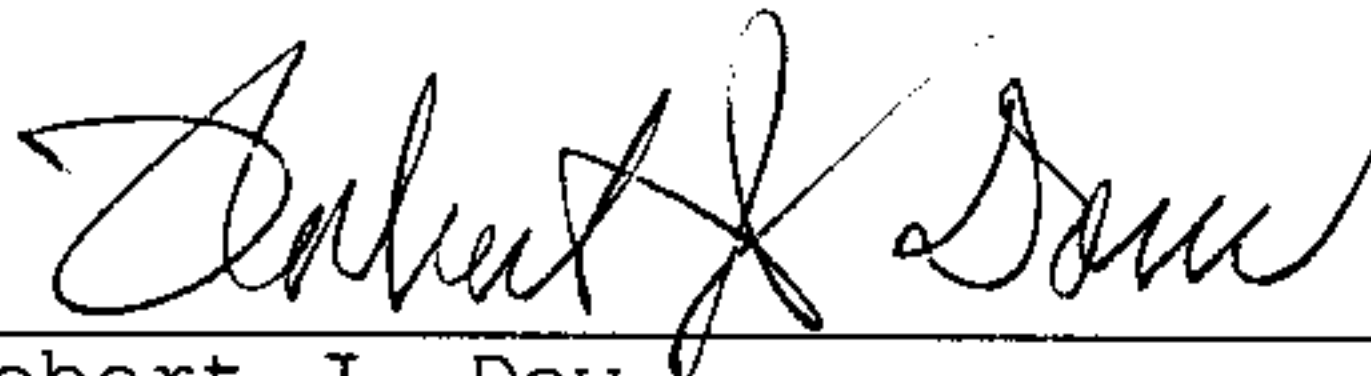
SEE ATTACHED EXHIBIT A

Subject property does not constitute the homestead of the grantors or their respective spouses.

TO HAVE AND TO HOLD to the said GRANTEE, his, her or their heirs and assigns forever.

And I (we) do, for myself (ourselves) and for my (our) heirs, executors and administrators, covenant with said grantee, his, her or their heirs and assigns, that I am (we are) lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise stated above; that I (we) have a good right to sell and convey the same as aforesaid; that I (we) will, and my (our) heirs, executors and administrators shall warrant and defend the same to the said grantee, his, her or their heirs and assigns forever, against the lawful claims of all persons.

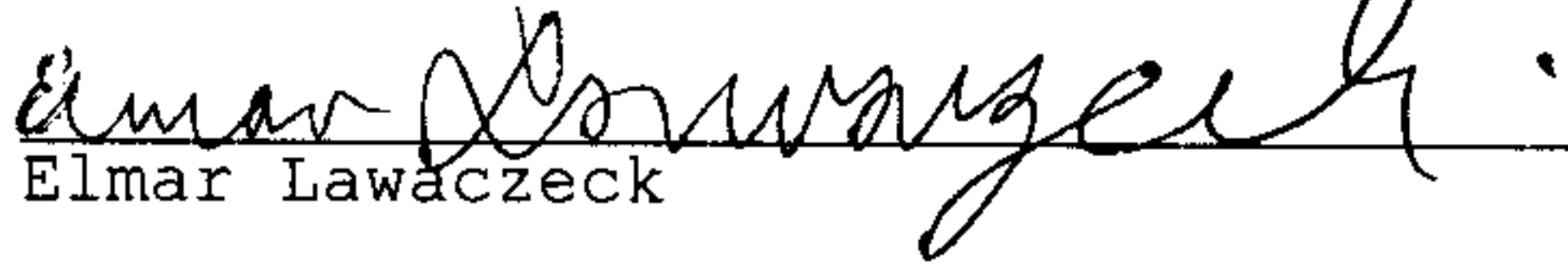
IN WITNESS WHEREOF, I (WE) have hereunto set my (our) hand(s) and seal(s) this 13th day of December, 2001.



Robert J. Dow



Gilder L. Wideman




Elmar Lawaczeck

STATE OF ALABAMA
JEFFERSON COUNTY

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Robert J. Dow and Gilder L. Wideman whose names are signed to the foregoing conveyance and who are known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this 13th day of December, 2001.

My Commission Expires: 2/14/02


Notary Public

STATE OF ALABAMA
COUNTY OF JEFFERSON

I, the undersigned authority, a Notary Public, hereby certify that Elmar Lawaczeck, whose name 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 executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this 29 day of November, 2001.

My Commission Expires: 6-10-01


Notary Public

EXHIBIT "A"

COMMENCING AT CONCRETE MONUMENT FOUND AT THE NORTHEAST CORNER OF A 10.357 ACRE TRACT OF LAND, SAID POINT ALSO AT THE INTERSECTION OF THE SOUTH RIGHT OF WAY OF INTERSTATE NO. 65 AND THE WEST RIGHT OF WAY OF SHELBY COUNTY ROAD NO. 11; THENCE S 51'55'00" W ALONG SAID WEST RIGHT OF WAY A DISTANCE OF 63 FEET TO A CAPPED REBAR FOUND; THENCE CONTINUE ALONG SAID WEST RIGHT OF WAY WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 344.99 FEET, WITH A RADIUS OF 1717.04 FEET, WITH A CHORD BEARING OF S 46'09'39" W, WITH A CHORD LENGTH OF 344.41 FEET TO A 5/8" REBAR FOUND; THENCE CONTINUE ALONG SAID WEST RIGHT OF WAY WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 115.02 FEET, WITH A RADIUS OF 1717.04 FEET, WITH A CHORD BEARING OF S 38'29'09" W, WITH A CHORD LENGTH OF 115.00 FEET TO A 5/8" REBAR FOUND; THENCE S 36'34'00" W ALONG SAID WEST RIGHT OF WAY A DISTANCE OF 14.71 FEET TO A 5/8" REBAR FOUND; THENCE S 67'07'56" W ALONG SAID WEST RIGHT OF WAY A DISTANCE OF 103.33 FEET TO A 5/8" REBAR FOUND AT THE INTERSECTION OF THE NORTH RIGHT OF WAY OF SHELBY COUNTY ROAD NO. 68; THENCE N 82'18'08" W ALONG SAID NORTH RIGHT OF WAY A DISTANCE OF 104.00 FEET TO A 5/8" REBAR FOUND AND TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED TRACT OF LAND; THENCE CONTINUE ALONG THE LAST DESCRIBED COURSE FOR A DISTANCE 126.31 FEET TO AN IRON PIN SET; THENCE N 07'41'44" E A DISTANCE OF 134.04 FEET TO A 5/8" REBAR SET; THENCE S 82'18'08" E A DISTANCE OF 126.31 FEET TO A 5/8" REBAR FOUND; THENCE S 07'41'52" W A DISTANCE OF 134.03 FEET TO THE POINT OF BEGINNING. SAID DESCRIBED PROPERTY CONTAINS .39 ACRE MORE OR LESS, AND LIES IN SECTION 36, T-20-S, R-3-W, SHELBY COUNTY, ALABAMA.

Together with a permanent ingress and egress non-exclusive easement identified as Easement #2 on that certain survey prepared by Donald W. Wheeler, Professional Land Surveyor No. 23340, which is undated, and legally described as follows, to-wit:

EASEMENT #2

COMMENCING AT CONCRETE MONUMENT FOUND AT THE INTERSECTION OF THE SOUTH RIGHT OF WAY OF INTERSTATE 65 AND THE WEST RIGHT OF WAY OF SHELBY COUNTY ROAD NO. 11; THENCE S 51'55'00" W ALONG SAID WEST RIGHT OF WAY A DISTANCE OF 63.00 FEET TO A CAPPED REBAR FOUND; THENCE ALONG SAID WEST RIGHT OF WAY WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 344.99 FEET, A RADIUS OF 1717.04 FEET AND A DELTA ANGLE OF 30'30'43" TO A POINT; THENCE N 53'33'30" W AND LEAVING SAID HIGHWAY RIGHT OF WAY RUN A DISTANCE OF 212.15 FEET TO A POINT; S 36'34'43" W RUN 151.02 FEET TO A POINT; THENCE S 07'41'52" W RUN 87.93 FEET TO THE POINT OF BEGINNING OF EASEMENT #2, WHICH IS A PERMANENT DRIVEWAY EASEMENT; THENCE CONTINUE ALONG THE LAST DESCRIBED COURSE FOR 46.10 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF SHELBY COUNTY HIGHWAY NO. 68; THENCE S 82'18'08" E RUN 20.00 FEET TO A POINT; THENCE N 07'41'52" E AND LEAVING SAID RIGHT OF WAY RUN 46.10 FEET TO A POINT; THENCE N 82'18'09" W RUN 20.00 FEET TO THE POINT OF BEGINNING. SAID DESCRIBED PROPERTY CONTAINS 922 SQUARE FEET MORE OR LESS, AND LIES IN SECTION 36, T-20-S, R-3-W, SHELBY COUNTY, ALABAMA.

Together with a permanent ingress and egress non-exclusive undefined easement over and across property owned by Grantor bordering the northern most boundary of the property conveyed herein from the northern boundary of the property conveyed herein to the Northeast corner of the intersection of Wellington Manor, a private road.

Mineral and mining rights excepted.

SUBJECT TO:

1. A permanent ingress and egress non-exclusive easement identified as Easement #1 on that certain survey prepared by Donald W. Wheeler , Professional Land Surveyor No. 23340, which is undated, and legally described as follows, to-wit:

EASEMENT #1

COMMENCING AT CONCRETE MONUMENT FOUND AT THE INTERSECTION OF THE SOUTH RIGHT OF WAY OF INTERSTATE NO. 65 AND THE WEST RIGHT OF WAY OF SHELBY COUNTY ROAD NO. 11; THENCE S 51°55'00" W ALONG SAID WEST RIGHT OF WAY A DISTANCE OF 63.00 FEET TO A CAPPED REBAR FOUND; THENCE ALONG SAID WEST RIGHT OF WAY WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 344.99 FEET, A RADIUS OF 1717.04 FEET AND A DELTA ANGLE OF 30°30'43" TO A POINT; THENCE N 53°33'30" W AND LEAVING SAID HIGHWAY RIGHT OF WAY, RUN A DISTANCE OF 212.15 FEET TO A POINT; S 36°34'43" W RUN 151.03 FEET TO A POINT; THENCE S 07°41'52" W RUN 87.93 FEET TO THE POINT OF BEGINNING OF EASEMENT #1, WHICH IS AN INGRESS, EGRESS AND UTILITY EASEMENT; THENCE CONTINUE ALONG THE LAST DESCRIBED COURSE FOR 46.10 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF SHELBY COUNTY HIGHWAY NO. 68; THENCE N 82°18'08" W RUN 20.00 FEET TO A POINT; THENCE N 07°41'52" E AND LEAVING SAID RIGHT OF WAY RUN 46.10 FEET TO A POINT; THENCE S 82°18'09" E RUN 20.00 FEET TO THE POINT OF BEGINNING. SAID PROPERTY CONTAINS 922 SQUARE FEET MORE OR LESS, AND LIES IN SECTION 36, T-20-S, R-3-W, SHELBY COUNTY, ALABAMA.;

2. A permanent ingress and egress non-exclusive easement identified as Easement #4 on that certain survey prepared by Donald W. Wheeler , Professional Land Surveyor No. 23340, which is undated, and legally described as follows, to-wit:

EASEMENT #4

COMMENCING AT CONCRETE MONUMENT FOUND AT THE INTERSECTION OF THE SOUTH RIGHT OF WAY OF INTERSTATE NO. 65 AND THE WEST RIGHT OF WAY OF SHELBY COUNTY ROAD NO. 11; THENCE S 51°55'00" W ALONG SAID WEST RIGHT OF WAY A DISTANCE OF 63.00 FEET TO A CAPPED REBAR FOUND; THENCE ALONG SAID WEST RIGHT OF WAY WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 344.99 FEET, A RADIUS OF 1717.04 FEET AND A DELTA ANGLE OF 30°30'43" TO A POINT; THENCE N 53°33'30" W AND LEAVING SAID HIGHWAY RIGHT OF WAY, RUN A DISTANCE OF 212.15 FEET TO A POINT; S 36°34'43" W RUN 151.02 FEET TO A POINT; THENCE S 07°41'52" W RUN 87.93 FEET TO THE POINT OF BEGINNING OF EASEMENT #4, WHICH IS A PERMANENT INGRESS, EGRESS, UTILITY AND DRIVEWAY EASEMENT; THENCE N 82°18'08" W RUN 20.00 FEET TO A POINT; THENCE N 07°41'52" E RUN 87.97 FEET TO A POINT; THENCE S 82°18'08" E RUN 20.00 FEET; THENCE S 07°41'52" W RUN 87.93 FEET TO THE POINT OF BEGINNING.
SAID DESCRIBED PROPERTY CONTAINS 1,759 SQUARE FEET MORE OR LESS, AND LIES IN SECTION 36, SHELBY COUNTY, ALABAMA.

3. Taxes for the tax year beginning October 1, 2001, and ending on September 30, 2002, which constitute a lien, but are not yet due and payable.
4. Right of way granted to the City of Alabaster recorded in Instrument No. 1996-34795.
5. Title to all minerals within and underlying the premises, together with all mining rights and other rights and other rights, privileges and immunities relating thereto.
6. Right of Way granted to Shelby County recorded in Volume 72, Page 536, Volume 180, Page 551, and Volume 230, Page 226.
7. Right of Way granted to Alabama Power Company recorded in Volume 127, Page 412, Volume 205, Page 35, and Volume 205, Page 38.
8. Right of Way granted to Alabama Power Company recorded in Volume 217, Page 114.

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