


**THIS INSTRUMENT PREPARED BY:**  
**James J. Odom, Jr.**  
**P.O. Box 11244**  
**Birmingham, AL 35202-1244**

**SEND TAX NOTICE TO:**  
**Timberlake Development, LLC**  
**250 Yeager Parkway, Suite C**  
**Pelham, AL 35124**

**STATE OF ALABAMA                    )**  
  
**COUNTY OF SHELBY                    )**

  
20040921000519060 Pg 1/3 62.00  
Shelby Cnty Judge of Probate, AL  
09/21/2004 08:51:00 FILED/CERTIFIED

**WARRANTY DEED**

**KNOW ALL MEN BY THESE PRESENTS THAT** in consideration of Four Hundred Fifty Thousand and No/100 Dollars (\$450,000.00), and other good and valuable consideration, paid to the undersigned grantors, Roy L. Martin, a married man, and Robert J. Dow, a married man ("Grantors"), by Timberlake Development, LLC ("Grantee"), the receipt and sufficiency whereof are hereby acknowledged, Grantors do by these presents, grant, bargain, sell and convey unto the Grantee the following described real estate situated in Shelby County, Alabama (the "Premises"), to-wit:

**SEE ATTACHED EXHIBIT “A” FOR LEGAL DESCRIPTION.**

**SUBJECT TO:** (1) Current taxes; (2) Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto; (3) Transmission Line Permits to Alabama Power Company recorded in Deed 333, at Page 830 and Deed 176, at Page 83, in Probate Office; (4) Rights of Way granted to Southern Natural Gas by instruments recorded in Deed 90, at Page 62, and Deed 196, at Page 312, in Probate Office; (5) Right of Way granted to Shelby County by instrument recorded in Deed 216, at Page 580, in Probate Office; (6) Less and except any portion of the land within the highway right-of-way; (7) Encroachment of fence onto and off of the land on the Northerly side of the land, as shown on Survey by R. C. Farmer & Associates, Inc., dated 08/17/04; (8) Gas line through Westerly portion of the land, as shown on Survey by R. C. Farmer & Associates, Inc., dated 08/17/04.

This property does not constitute the homestead of either of the Grantors or their spouses.

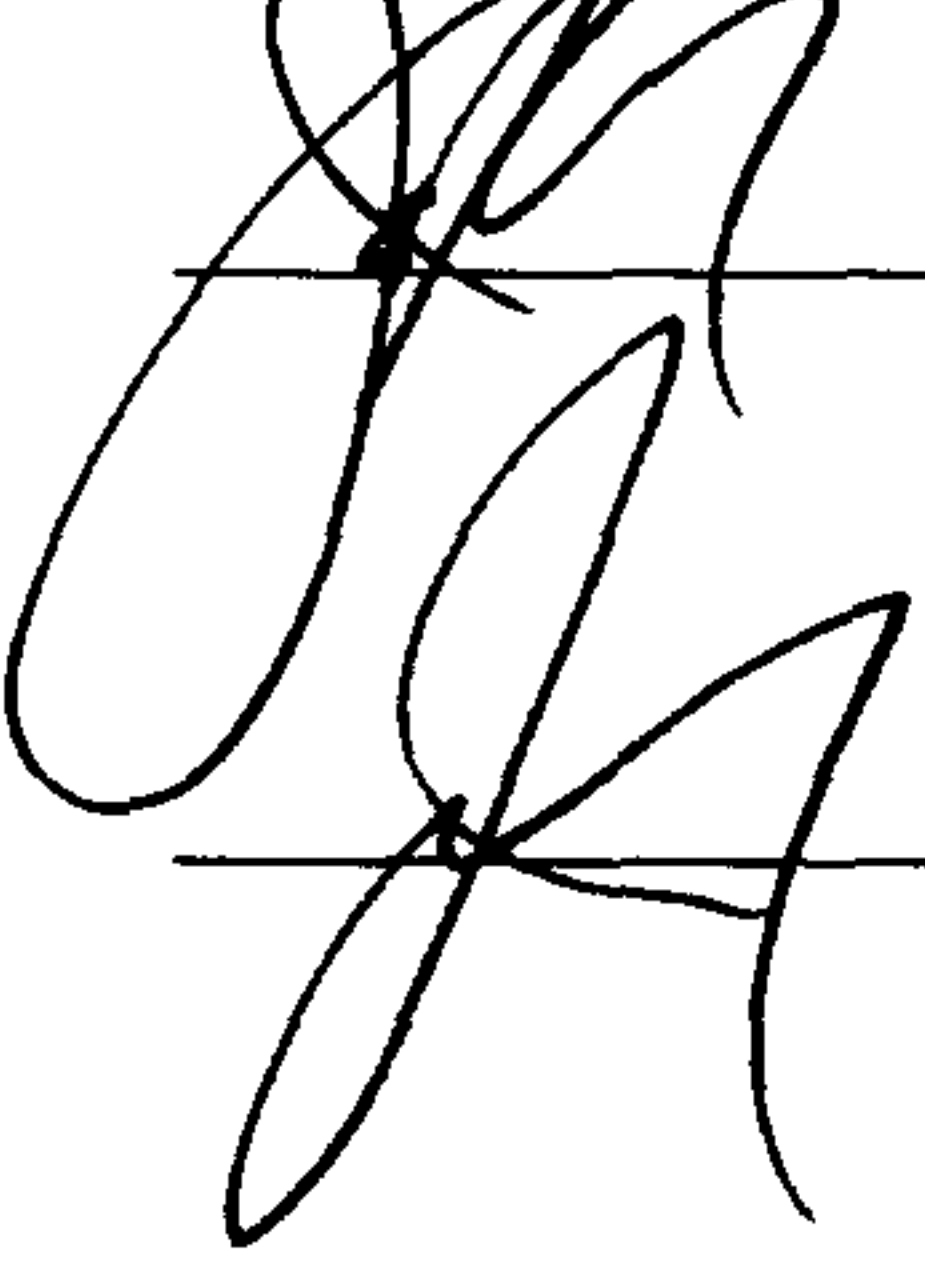
\$405,000.00 of the purchase price recited above was paid from the proceeds of a mortgage loan closed simultaneously herewith.


**TO HAVE AND TO HOLD** to the Grantee, its successors and assigns forever.


And Grantors do for themselves, their heirs and assigns, covenant with Grantee, its successors and assigns, that they are lawfully seized in fee simple of the Premises; that the Premises are free from all encumbrances, except as noted above; that Grantor has a good right to sell and convey the Premises as aforesaid; that Grantor will, and their heirs and assigns shall, warrant and defend the same to the Grantee, its successors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the undersigned have executed this conveyance on this the 27<sup>th</sup> day of August, 2004.

WITNESS:



  
Roy L. Martin

  
Robert J. Dow

STATE OF ALABAMA           )  
COUNTY OF SHELBY        )

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Roy L. Martin, a married man, and Robert J. Dow, a married man, 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 seal this 27<sup>th</sup> day of August, 2004.

  
Notary Public

My Commission Expires: 14/8/07



**EXHIBIT "A"**

A parcel of land situated in the SW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of Section 14, Township 21 South, Range 3 West, Shelby County, Alabama, and being more particularly described as follows:

Commence at the NE corner of the SW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of Section 14, Township 21 South, Range 3 West, Shelby County, Alabama; thence S 00 deg. 19 min. 44 sec. E a distance of 215.76 feet to the point of beginning; thence S 75 deg. 34 min. 37 sec. W a distance of 160.40 feet; thence N 49 deg. 47 min. 27 sec. W a distance of 233.23 feet to the Southerly right of way of Shelby county Highway 26; thence S 39 deg. 15 min. 39 sec. W along said right of way, a distance of 24.25 feet to a point of curve to the right having a radius of 538.22 feet and a central angle of 25 deg. 45 min. 08 sec., said curve subtended by a chord bearing S 52 deg. 08 min. 13 sec. W and a chord distance of 239.88 feet; thence Southwesterly along the arc of said curve and along said right of way a distance of 241.91 feet; thence S 01 deg. 57 min. 12 sec. E and leaving said right of way a distance of 365.29 feet; thence N 89 deg. 37 min. 55 sec. W a distance of 339.38 feet; thence S 01 deg. 17 min. 07 sec. W a distance of 683.24 feet; thence S 88 deg. 04 min. 41 sec. E a distance of 546.98 feet; thence S 88 deg. 36 min. 47 sec. E a distance of 283.68 feet; thence N 89 deg. 40 min. 00 sec. E a distance of 56.65 feet; thence N 00 deg. 19 min. 44 sec. W a distance of 1126.26 feet to the point of beginning.

Subject to a 90 foot Southern Natural Gas Easement described as follows:

Commence at the NE corner of SW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of Section 14, Township 21 South, Range 3 West, Shelby County, Alabama; thence S 00 deg. 19 min. 44 sec. E a distance of 215.76 feet; thence S 75 deg. 34 min. 37 sec. W a distance of 160.40 feet; thence N 49 deg. 47 min. 27 sec. W a distance of 233.23 feet to the Southerly right of way of Shelby County Highway 26; thence S 39 deg. 15 min. 39 sec. W along said right of way a distance of 24.25 feet to a point of curve to the right having a radius of 538.22 feet and a central angle of 25 deg. 45 min. 08 sec., said curve subtended by a chord bearing S 52 deg. 08 min. 13 sec. W and chord distance of 239.88 feet; thence Southwesterly along the arc of said curve and along said right of way a distance of 241.91 feet; thence S 01 deg. 57 min. 12 sec. E and leaving said right of way a distance of 365.29 feet; thence N 89 deg. 37 min. 55 sec. W a distance of 339.38 feet; thence S 01 deg. 17 min. 07 sec. W a distance of 67.32 feet to the point of beginning of the centerline of a 90 foot Southern Natural Gas easement lying 45 feet on either side of and parallel to described centerline; thence S 28 deg. 26 min. 51 sec. E along said centerline a distance of 713.83 feet to the Southerly property line of above described property.

All being situated in Shelby County, Alabama.