

Recording Data:

20041223000699670 Pg 1/6 59.00  
Shelby Cnty Judge of Probate, AL  
12/23/2004 09:53:00 FILED/CERTIFIED

This instrument was prepared by:  
Thomas H. Boggs, Jr.  
P. O. Drawer 740  
Demopolis, AL 36732

Send Tax Bill To:

Mr. Tom Bird  
2214 3rd Avenue North  
Birmingham, AL 35203

### WARRANTY DEED

STATE OF ALABAMA

SHELBY COUNTY

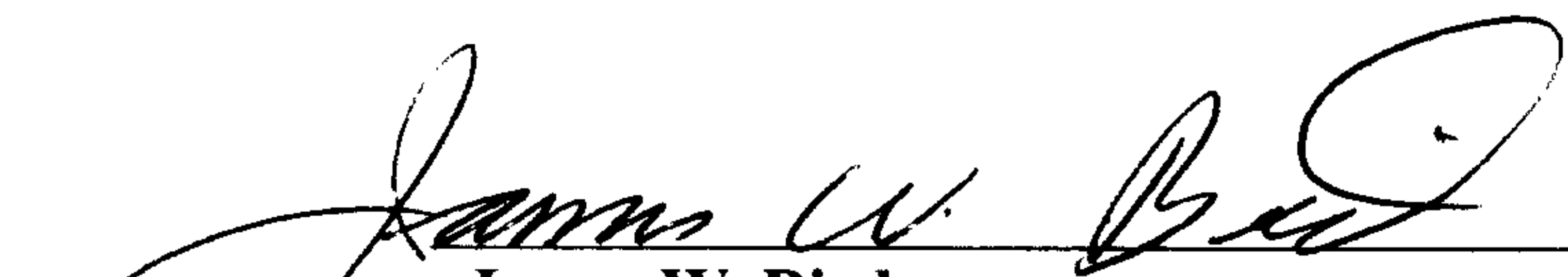
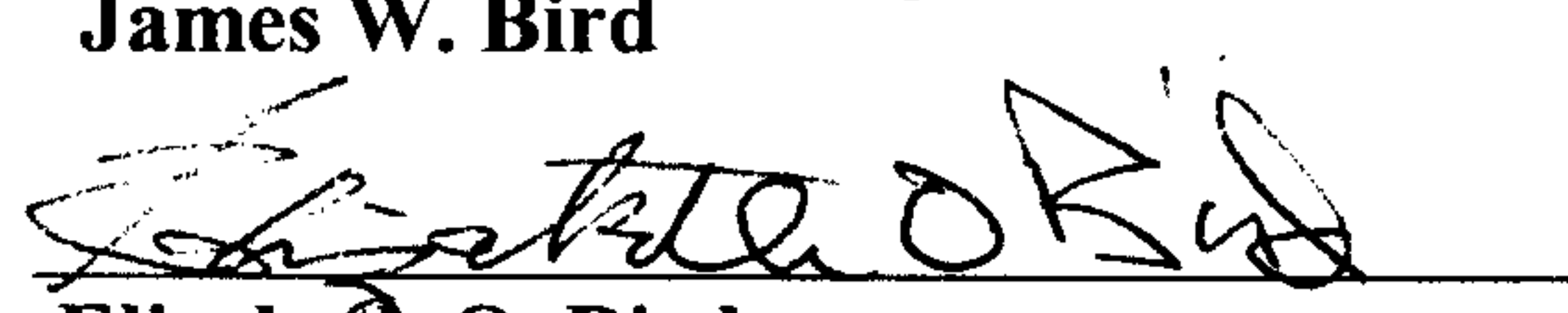
**KNOW ALL MEN BY THESE PRESENTS:** That in consideration of **LOVE AND AFFECTION** and other good and valuable consideration, to the undersigned Grantors in hand paid by the Grantee herein, the receipt whereof is acknowledged, **James W. Bird and wife, Elizabeth O. Bird, and Mafus R. Bird, a single man**, hereinafter referred to as Grantors), do grant, bargain, sell, and convey unto **Thomas W. Bird** (hereinafter referred to as Grantee), the following described real estate, situated in Shelby County, Alabama, to-wit:

**An undivided 5.89% interest, being a value of \$33,000.00 in that certain 160 acres, more or less, and more particularly described as set out on Schedule "A", consisting of four (4) pages attached hereto, and made a part of this Warranty Deed.**


**TO HAVE AND TO HOLD** unto the said Grantee, his heirs and assigns forever.

And we do for ourselves and for my heirs, executors, and administrators covenant with the said Grantee, his heirs and assigns, that we are lawfully seized in fee simple of said premises; that it is free from all encumbrances, unless otherwise noted above; that we have a good right to sell and convey the same as aforesaid; that we will and our heirs, executors and administrators shall warrant and defend the same to the said Grantee, his heirs and assigns forever, against the lawful claims of all persons.

**IN WITNESS WHEREOF**, we have hereunto set my hand and seal this the 20 day of December, 2004.

  
James W. Bird  
  
Elizabeth O. Bird



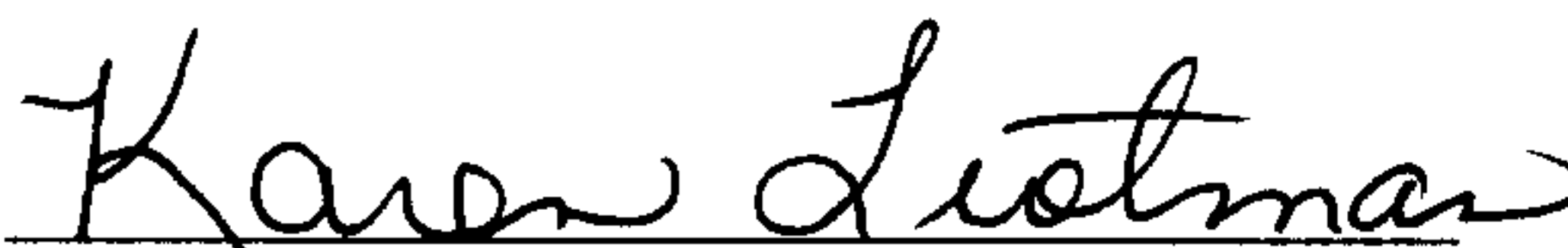
  
Mafus Bird

STATE OF ALABAMA

MARENGO COUNTY

I, the undersigned, a Notary Public in and for said State and County, hereby certify that **James W. Bird and wife, Elizabeth O. Bird**, whose names are signed to the foregoing instrument, and who are known to me, acknowledged before me on this day that, being informed of the contents of said instrument, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 20 day of December, 2004.

  
Notary Public


STATE OF ALABAMA

Marion COUNTY

KAREN TROTMAN  
A Notary Public of Alabama  
My Commission Expires 01-14-2008

I, the undersigned, a Notary Public in and for said State and County, hereby certify that **Mafus R. Bird, a single man**, 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 said instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 20 day of December, 2004.

  
Notary Public

KAREN TROTMAN  
A Notary Public of Alabama  
My Commission Expires 01-14-2008



## SCHEDULE A

All of the S  $\frac{1}{2}$  of the SW  $\frac{1}{4}$  of Section 12, Township 20 South Range 2 East, Shelby County, Alabama. Also, all of the NW  $\frac{1}{4}$  of Section 13, Township 20 South, Range 2 East, Shelby County, Alabama.

### LESS AND EXCEPT:

#### Parcel 1:

All that parcel of land more particularly described as follows: Commence at a 2  $\frac{1}{2}$  inch open top pipe in place accepted as the Southwest corner of Section 12, Township 20 South, Range 2 East, Shelby County, Alabama; thence proceed North 01 deg. 00 min. 11 sec. East along the West boundary of said  $\frac{1}{4}$  Section for a distance of 1,326.12 feet to a 2  $\frac{1}{2}$  inch open top pipe in place accepted as the Northwest corner of the Southwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of Section 12, Township 20 South, Range 2 East; thence proceed South 89 deg. 47 min. 15 sec. East along the North boundary of said  $\frac{1}{4}$  -  $\frac{1}{4}$  section for a distance of 1,325.10 feet to a 2  $\frac{1}{2}$  inch open top pipe in place accepted as the Northwest corner of the Southeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of said section; thence proceed South 88 deg. 52 min. 08 sec. East along the North boundary of said Southeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  for a distance of 1,375.25 feet to a 6 inch creosote post in place; thence proceed South 01 deg. 42 min. 05 sec. West along the accepted East boundary of the Southeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  for a distance of 284.71 feet (set  $\frac{1}{2}$  inch rebar), said point being the point of beginning for the herein described exception; from this beginning point continue South 01 deg. 42 min. 05 sec. West along a fence for a distance of 414.96 feet (set  $\frac{1}{2}$  inch rebar) to a point on the Northerly right of way of Alabama Highway # 76; thence Southwesterly along the Northerly right of way of said highway for a chord bearing and distance of South 78 deg. 04 min. 28 sec. West, 481.95 feet (set  $\frac{1}{2}$  inch rebar); thence proceed North 01 deg. 31 min. 34 sec. East along a fence for a distance of 425.46 feet (set  $\frac{1}{2}$  inch rebar); thence proceed North 79 deg. 19 min. 38 sec. East along a fence for a distance of 480.86 feet to the point of beginning.

#### Parcel 2:

Commence at a 2 ½ inch pipe in place, accepted as the southwest corner of Section 12, Township 20 South, Range 2 East, Shelby County, Alabama; thence proceed North 01 deg. 00 min. 11 sec. East along the west boundary of said section for a distance of 1,326.12 feet to a 2 ½ inch pipe in place accepted as the northwest corner of the SW ¼ of the SW ¼ of said section; thence proceed South 89 deg. 47 min. 15 sec. East along the north boundary of said ¼ - ¼ section for a distance of 1,325.10 feet to a 2 ½ inch pipe in place accepted as the northeast corner of said ¼ - ¼ section; thence proceed South 88 deg. 52 min. 08 sec. East along the north boundary of the SE ¼ of the SW ¼ of said section for a distance of 1,375.25 feet to a 6 inch creosote fence post in place accepted as the northeast corner of said ¼ - ¼ section; thence proceed South 01 deg. 56 min. 31 sec. West along the East boundary of said ¼ - ¼ section for a distance of 782.79 feet (set ½" rebar) to a point located on the south boundary of Alabama Highway # 76, said point being the point of beginning of the parcel being excepted; from said point of beginning continue South 01 deg. 56 min. 31 sec. West along the East boundary of said SE ¼ of the SW ¼ of Section 12 and along the East boundary of the NE ¼ of the NW ¼ of Section 13 for a distance of 771.02 feet (set ½" rebar); thence proceed North 87 deg. 58 min. 11 sec. West for a distance of 825.80 feet (set ½ rebar); thence proceed North 00 deg. 44 min. 47 sec. East for a distance of 377.43 feet (set ½" rebar) to a point on an existing fence; thence proceed South 88 deg. 35 min. 19 sec. East along said fence for a distance of 488.73 feet to a chain link fence post; thence proceed North 01 deg. 42 min. 03 sec. East along said fence for a distance of 302.39 feet (set ½ inch rebar) to a point located on the south boundary of said Alabama Highway # 76; thence proceed North 78 deg. 04 min. 28 sec. East along the south boundary of said Alabama Highway # 76 for a distance of 356.64 feet to the point of beginning of the excepted parcel; being situated in the SE ¼ of the SW ¼ of Section 12, Township 20 South, Range 2 East and the NE ¼ of the NW ¼ of Section 13, Township 20 South, Range 2 East, Shelby County, Alabama.

Parcel 3:

Commence at a 2 ½ inch open top pipe in place being the Southwest corner of Section 12, Township 20 South, Range 2 East, Shelby County, Alabama, said point being the point of beginning of the parcel being excepted herein; from this beginning point proceed



North 01 deg. 00 min. 11 sec. East along a fence and along the west boundary of said section for a distance of 1,326.12 feet to a 2 ½ inch open top pipe in place accepted as the northwest corner of the Southwest ¼ of the Southwest ¼ of said Section 12; thence proceed South 89 deg. 47 min. 15 sec. East along a fence and along the North boundary of said ¼ - ¼ section for a distance of 1,325.10 feet to a 2 ½ inch open top pipe in place accepted as the northwest corner of the Southeast ¼ of the Southwest ¼ of said section; thence proceed South 88 deg. 52 min. 08 sec. East along a fence and along the North boundary of the Southeast ¼ of the Southwest ¼ for a distance of 1,375.25 feet to a creosote fence post; thence proceed South 01 deg. 42 min. 05 sec. West along a fence for a distance of 284.71 feet to a ½ inch rebar in place; thence proceed South 79 deg. 19 min. 38 sec. West along a fence for a distance of 480.86 feet to a ½ inch rebar in place; thence proceed South 01 deg. 31 min. 34 sec. West along a fence for a distance of 425.46 feet to a ½ inch rebar in place, said point being located on the Northerly right of way of Alabama Highway No. 76; thence proceed South 73 deg. 36 min. 55 sec. West along the northerly right of way of said highway for a distance of 2,326.38 feet (set ½ inch rebar) to a point on the west boundary of Section 13; thence proceed North 00 deg. 20 min. 08 sec. East along a fence and along the West boundary of said Section 13 for a distance of 161.34 feet to the point of beginning of the excepted parcel; being situated in the SW ¼ of the SW ¼ and the SE ¼ of the SW ¼ of Section 12 and the NW ¼ of the NW ¼ of Section 13, Township 20 South, Range 2 East, Shelby County, Alabama.

**Parcel 4:**

Commence at a 2 ½ inch open top pipe in place being the Southwest corner of Section 12, Township 20 South, Range 2 East, Shelby County, Alabama; thence proceed North 01 deg. 00 min. 11 sec. East along a fence and along the west boundary of said section for a distance of 1,326.12 feet to a 2 ½ inch open top pipe in place accepted as the northwest corner of the Southwest ¼ of the Southwest ¼ of said Section 12; thence proceed South 89 deg. 47 min. 15 sec. East along a fence and along the North boundary of said ¼ - ¼ section for a distance of 1,325.10 feet to a 2 ½ inch open top pipe in place

accepted as the northwest corner of the Southeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of said section; thence proceed South 88 deg. 52 min. 08 sec. East along a fence and along the North boundary of the Southeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  for a distance of 1,375.25 feet to a creosote fence post; thence proceed South 01 deg. 56 min. 31 sec. West along a fence for a distance of 782.79 feet to a  $\frac{1}{2}$  inch capped rebar in place being located on the southerly right of way of Alabama Highway No. 76; thence proceed Southwesterly along the Southerly right of way of said highway for a chord bearing and distance of South 78 deg. 04 min. 28 sec. West, 356.64 feet to a  $\frac{1}{2}$  inch capped rebar in place, said point being the point of beginning of the parcel being excepted; from this beginning point proceed South 01 deg. 42 min. 03 sec. West for a distance of 302.39 feet to a chain link fence post; thence proceed North 88 deg. 35 min. 19 sec. West for a distance of 488.73 feet to a  $\frac{1}{2}$  inch capped rebar in place; thence proceed North 00 deg. 44 min. 47 sec. East for a distance of 154.70 feet (set  $\frac{1}{2}$  inch rebar) to a point on the southerly right of way of said highway; thence proceed North 74 deg. 48 min. 53 sec. East along the southerly right of way of said highway for a distance of 516.22 feet to the point of beginning of the parcel herein excepted; being situated in the SE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 12, Township 20 South, Range 2 East, Shelby County, Alabama.

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