

This instrument was prepared by
Wheeler Wilson, Attorney at Law
2307 City Federal Building
Birmingham, Alabama 35203

6071

WARRANTY DEED

STATE OF ALABAMA)
SHELBY COUNTY)

KNOW ALL MEN BY THESE PRESENTS that in consideration of the cancellation of that certain Lease dated November 20, 1975, between Bobby G. Darty and Howard F. Johnston, Jr., lessors, and Yamaha South, Inc., lessee, and the assumption of the hereinafter described mortgage, to the undersigned grantors, in hand paid by the grantee herein, the receipt whereof is acknowledged, we, Howard F. Johnston, Jr. and wife, Judy D. Johnston, and Bobby G. Darty and wife, Donna F. Darty, grant, bargain, sell and convey unto Yamaha South, Inc., a corporation, the following described real estate, situated in Shelby County, Alabama, to-wit:

A part of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 31, Township 19 South, Range 2 West, more particularly described as follows: Commence at the NW corner of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 31, Township 19 South, Range 2 West; thence turn an angle of 20 deg. 29 min. 10 sec. left from the West line of said $\frac{1}{4}$ - $\frac{1}{4}$ Section and run Southeasterly for a distance of 347.40 feet; thence turn 71 deg. 34 min. 40 sec. left and run Easterly for a distance of 364.82 feet; thence turn 4 deg. 50 min. 40 sec. right and run Easterly for a distance of 369.55 feet to the point of beginning; thence turn 115 deg. 32 min. left and run Northwesterly for a distance of 178.73 feet; thence turn 118 deg. 34 min. 10 sec. right and run Southeasterly for a distance of 130.53 feet; thence turn 27 deg. 14 min. 20 sec. left and run Northeasterly for a distance of 154.30 feet to the Southwesterly right of way line of Old U.S. Highway No. 31; thence turn 83 deg. 55 min. right and run Southeasterly along the right of way line of said road for a distance of 156.00 feet; thence turn 100 deg. 24 min. 30 sec. right and run Southwesterly for a distance of 284.26 feet; thence turn 88 deg. 22 min. right and run Northwesterly for a distance of 14.14 feet to the point of beginning.

Subject to:

1. Taxes for the year 1976, a lien but not yet due and payable.
2. Title to all minerals within and underlying the premises together with all mining rights and other rights, privileges and immunities relating thereto.
3. Right of way to Shelby County for roadway recorded in Deed Book 154 page 111 in the Probate Office of Shelby County, Alabama.
4. Transmission line permits to Alabama Power Company recorded in Deed Book 101 page 505, Deed Book 119 page 457, Deed Book 157, page 290, Deed Book 164 page 378 and Deed Book 172 page 543, all in the Probate office of Shelby County, Alabama.



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Shelby Cnty Judge of Probate, AL
06/17/1976 12:00:00AM FILED/CERT

BOOK 299 PAGE 345

5. Right of way and easement for telephone lines as set out in Deed Book 56 page 296 of the Probate office of Shelby County, Alabama.
6. That certain mortgage from J. P. Graham and wife to Guy L. Burns, Sr. recorded in Mortgage Book 334 page 458 in the Probate office of Shelby County, Alabama.

Grantee herein assumes and agrees to pay, according to its terms and conditions that certain mortgage executed by J. P. Graham and wife to Guy L. Burns, Sr. as recorded in Mortgage Book 334 page 458 in the Probate office of Shelby County, Alabama.

TO HAVE AND TO HOLD to the said grantee, its successors and assigns forever.

And we do for ourselves and for our heirs, executors, and administrators covenant with the said grantee, its successors and assigns, that we are lawfully seized in fee simple of said premises; that they are 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, its successors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this 16 day of June, 1976.

Howard F. Johnston, Jr. (SEAL)
HOWARD F. JOHNSTON, JR.

Judy D. Johnston (SEAL)
JUDY D. JOHNSTON

Bobby G. Darty (SEAL)
BOBBY G. DARTY

Donna F. Darty (SEAL)
DONNA F. DARTY

BOOK 299 PAGE 346
STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED
1976 JUN 16 PM 12:58
Deed Sep. 50
Conceded
JUDGE OF PROBATE

STATE OF ALABAMA)
SHELBY COUNTY)

I, D. Michael, a Notary Public in and for said County, in said State, hereby certify that Howard F. Johnston, Jr. and wife, Judy D. Johnston, and Bobby G. Darty and wife, Donna F. Darty, 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 16 day of June, 1976.

D. Michael
Notary Public

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