

1005

WARRANTY DEED

THIS INSTRUMENT WAS PREPARED BY: -  
Robin H. Harbin  
P. O. Box 55465  
Birmingham, AL 35255

STATE OF ALABAMA

KNOW ALL MEN BY THESE PRESENTS:

SHELBY COUNTY

That in consideration of FOUR HUNDRED NINETY-FOUR THOUSAND FIVE HUNDRED AND NO/100 Dollars (\$494,500.00) to the undersigned grantor (whether one or more), in hand paid by the grantee herein, the receipt whereof is acknowledged, we, John M. Howard and wife, Betty A. Howard (herein referred to as grantor, whether one or more), grant, bargain, sell and convey unto David F. Byers (herein referred to as grantee, whether one or more), the following described real estate, situated in Shelby County, Alabama, to-wit:

See Exhibit A attached hereto and made a part hereof.

Grantor does hereby convey all of its right, title and interest in and to that certain Easement Agreement dated June 29, 1987, by and between the Cahaba Valley Fire and Emergency Medical Rescue District and John M. Howard, said easement being recorded in Real       , Page       , Probate Office of Shelby County, Alabama.

This conveyance is subject to the following:

1. Taxes for the year 1987, a lien not due and payable until October 1, 1987.

2. Transmission Line Permit to Alabama Power Company as shown by instrument recorded in Deed Book 138, Page 539 and Deed Book 111, Page 405, Shelby County Probate office.

3. Right-of-Way Granted to Shelby County for U. S. Highway 280 by instrument recorded in Deed Book 95, Page 503 in said Probate Office.

4. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto, including rights conveyed in Deed Book 337, Page 771 in said Probate Office.

\$ 465,000.00 of the purchase price recited above was derived from a mortgage loan closed simultaneously herewith.

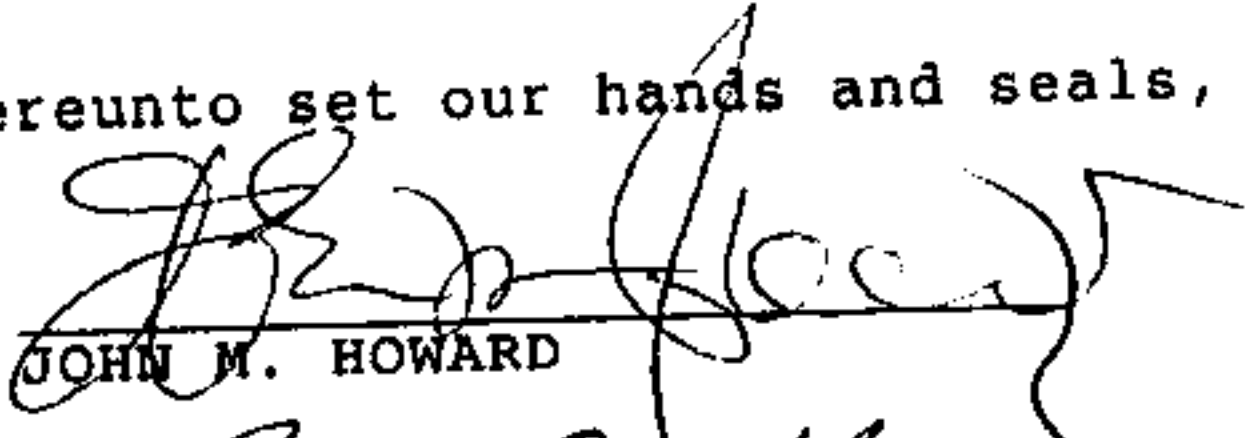
TO HAVE AND TO HOLD to the said grantee, his, her or their heirs and assigns forever.

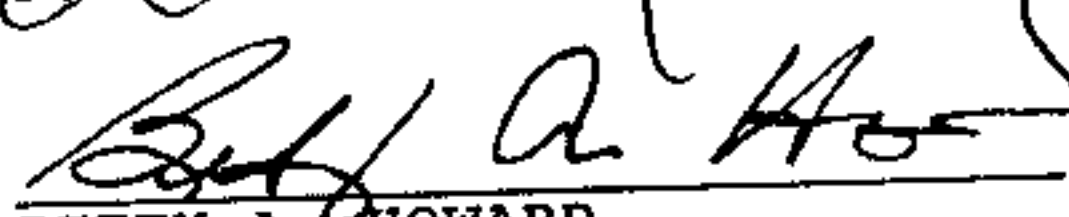
And we do for ourselves and for our heirs, executors, and administrators covenant with the said Grantee, heirs and assigns,

Am South Bank

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, his heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, we have hereunto set our hands and seals, this 29 day of June, 1987.

  
JOHN M. HOWARD

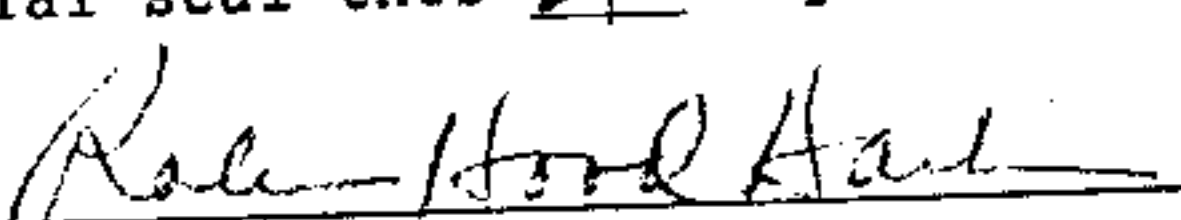
  
BETTY A. HOWARD

STATE OF ALABAMA

MOBILE COUNTY

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that John M. Howard and Betty A. Howard, 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 29 day of June, 1987.

  
NOTARY PUBLIC

My Commission expires: 1-5-88

BOX 140 P.M. 906

EXHIBIT "A"

A tract of land situated in the Southwest 1/4 of the Northeast 1/4 of Section 5, Township 19 South, Range 1 West, Shelby County, Alabama, more particularly described as follows: Begin at the Southeast corner of said SW 1/4 of NE 1/4 and run West along the South line thereof for 570.73 feet; thence turn right 90 deg. 02 min. 14 sec. and run Northerly for 225.98 feet; thence turn left 90 deg. and run Westerly for 60.15 feet; thence turn right 83 deg. 32 min. 25 sec. and run Northwesternly for 201.89 feet; thence turn right 96 deg. 27 min. 21 sec. and run Easterly for 228.15 feet; thence turn left 90 deg. 00 min. 10 sec. and run Northerly for 163.00 feet; thence turn right 90 deg. and run Easterly for 254.15 feet; thence turn right 90 deg. 27 min. 45 sec. and run Southerly for 218.26 feet; thence turn left 90 deg. and run Easterly for 176.0 feet to a point on the East line of said SW 1/4 of NE 1/4; thence turn right 90 deg. and run Southerly along said East line 369.62 feet to the point of beginning.

ALSO, A parcel in the SW 1/4 of the NE 1/4 of Section 5, Township 19 South, Range 1 West, Shelby County, Alabama, described as follows: Commence at the Southeast corner of the SW 1/4 of the NE 1/4 of Section 5, Township 19 South, Range 1 West, Shelby County, Alabama; thence run West along the South line of said 1/4 1/4 Section 570.73 feet to the point of beginning; thence continue along the last described course in a Westerly direction 78.84 feet; thence turn an angle to the right of 89 deg. 37 min. 35 sec. and run in a Northerly direction 60.40 feet; thence turn an angle to the left of 81 deg. 18 min. 10 sec. and run in a Northwesternly direction 160.87 feet to a point on the Easterly right of way line of U. S. Highway 280; thence turn an angle to the right of 75 deg. 18 min. 09 sec. and run in a Northwesternly direction along said Easterly right of way line 143.32 feet; thence turn an angle to the right of 96 deg. 24 min. 50 sec. and run in an Easterly direction 254.48 feet; thence turn an angle to the right of 90 deg. and run in a Southerly direction 225.98 feet to the point of beginning.

All being situated in Shelby County, Alabama.

Mineral and mining rights excepted.

BOOK 140 PAGE 907

STATE OF ALA. SHELBY CO.  
I CERTIFY THIS  
INSTRUMENT WAS FILED

1987 JUL 16 PM 5:32

*Thomas A. Snowden, Jr.*  
JUDGE OF PROBATE

1. Deed Tax	\$ 29.50
2. Mtg. Tax	
3. Recording Fee	7.50
4. Indexing Fee	1.00
TOTAL	38.00