

Send Tax Notice to:  
 SouthTrust Bank of Alabama,  
 National Association  
 Personal Trust Division  
 Post Office Box 2554  
 Birmingham, Alabama 35290

STATE OF ALABAMA       )  
                                   )  
 SHELBY COUNTY         )

STATUTORY WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that in consideration of One Dollar (\$1.00) and other good and valuable consideration in hand paid to Ann J. Shaw (also known as Ann Johnston Shaw), John E. Guess, and AmSouth Bank N.A., as Trustees of Trust B created under ITEM THREE (b) of the Will of Henry P. Johnston (also known as Henry Poellnitz Johnston), deceased (herein called "the Grantors"), the receipt and sufficiency whereof are hereby acknowledged, the Grantors do hereby grant, bargain, sell and convey to Ann J. Shaw, John E. Guess, and SouthTrust Bank of Alabama, National Association in their capacity as Trustees of Trust B created under ITEM THREE (b) of the Will of Henry P. Johnston, deceased (herein called "the Grantees"), the real estate situated in Shelby County, Alabama, more particularly described in Exhibit A attached hereto and made a part hereof, together with a non-exclusive road right-of-way as granted to Grantors in that certain deed recorded in Book 160, Page 552, Office of the Probate Judge of Shelby County, Alabama.

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This conveyance is made subject to the following:

1. Right-of-way to The Water Works Board of the City of Birmingham, as recorded in Real Record 069, Page 430, in the Probate Office of Shelby County, Alabama.
2. Resolution and Restrictions, as recorded in Real Record 041, Page 987, in said Probate Office.
3. Transmission line permits to Alabama Power Company, as recorded in Deed Book 138, Page 307; Deed Book 240, Page 444; Deed Book 182, Page 326; and Deed Book 180, Page 35, in said Probate Office, affecting the E 1/2 of the NE 1/4 of Section 24, Township 18, Range 1 West.
4. Easement for private road, as recorded in Deed Book 326, Page 427, and Deed Book 326, Page 428, in said Probate Office.

✓ Bradley Arant

5. Reservations and restrictions as set forth in that certain deed as recorded in Book 160, Page 552, in said Probate Office.
6. Any mineral and mining rights not owned by the Grantors.
7. Ad valorem taxes for the current tax year, a lien but not yet due and payable.
8. Rights, if any, acquired in the property conveyed herein as contained in deed recorded in Deed Book 222, Page 17, of said Probate Office.

TO HAVE AND TO HOLD unto the Grantees, their successors and assigns, forever.

This instrument is executed without warranty or representation of any kind on part of the undersigned, express or implied, except that the undersigned have not heretofore conveyed the property or any interest therein and that there are no liens or encumbrances outstanding against the premises conveyed which were created or suffered by the undersigned and not specifically excepted herein.

This instrument is executed by the undersigned solely in the representative capacities named herein, and neither this instrument nor anything herein contained shall be construed as creating any indebtedness or obligation on the part of the undersigned in their individual or corporate capacities, and the undersigned expressly limit their liability hereunder to the property now or hereafter held by them in the representative capacities named.

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IN WITNESS WHEREOF, the Grantors have executed this deed  
as Trustees of Trust B created under ITEM THREE (b) of the Will of Henry  
P. Johnston, deceased, this 22 day of February, 1989.

Ann J. Shaw  
Ann J. Shaw

John E. Guess  
John E. Guess

AMSOUTH BANK N.A.

By:

Its:

Vice President + Trust Officer

As Trustees of Trust B created under  
ITEM THREE (b) of the Will of  
Henry P. Johnston, Deceased

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STATE OF ALABAMA )  
JEFFERSON COUNTY )

I, the undersigned, a Notary Public in and for said County in  
said State, hereby certify that Ann J. Shaw and John E. Guess, whose names  
as Trustees of Trust B created under ITEM THREE (b) of the Will of Henry  
P. Johnston, deceased, 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, in their capacity as such Trustees,  
executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this 22 day of  
February, 1989.

Carol A. Guess  
Notary Public

(NOTARIAL SEAL)

My Commission Expires: 3-9-90

STATE OF ALABAMA )  
 )  
JEFFERSON COUNTY )

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Vaughn P. Stough, whose name as V.P. & Trust Officer of AmSouth Bank N.A., as Trustee of Trust B created under ITEM THREE (b) of the Will of Henry P. Johnston, deceased, 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, as said V.P. & Trust Officer and with full authority, executed the same voluntarily for and as the act of said AmSouth Bank N.A., in its capacity as such Trustee.

Given under my hand and official seal, this 21st day of February, 1989.

Kathy Kallman  
Notary Public

(NOTARIAL SEAL)

My Commission Expires: 2/11/90

This instrument was prepared by:  
William L. Hinds, Jr.  
1400 Park Place Tower  
Birmingham, Alabama 35203

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## EXHIBIT "A"

Deed from S. W. Smyer, Jr., et ux, to The Estate of Henry P. Johnston

A parcel of land situated in the NW 1/4 of Section 19, Township 18 South, Range 1 East, and the NE 1/4 of Section 24, Township 18 South, Range 1 West, all being in Shelby County, Alabama, and being more particularly described as follows:

Beginning at an existing 3/4 inch rebar at the most Southerly corner of Lot 15, Hollybrook Lake Subdivision, as recorded in Map Book 4, Page 74, in the Office of the Judge of Probate, Shelby County, Alabama, run in a North-easterly direction along Southeast lot line of said Lot 15 for a distance of 331.87 feet (map=331.65 feet) to an existing 3/4 inch rebar at the Southwest corner of Lot 16 of said subdivision; thence turn an angle to the right of 12 deg. 48 min. and run in a Northeasterly direction along the Southeast lot line of said Lot 16 for a distance of 85.42 feet to an existing 3/4 inch rebar at a bend point in said Southeast lot line; thence turn an angle to the left of 35 deg. 07 min. and run in a Northeasterly direction along said Southeast lot line for a distance of 157.90 feet (map=158.05 feet) to an existing 3/4 inch rebar at the Southwest corner of Lot 17 of said subdivision; thence turn an angle to the right of 53 deg. 18 min. 30 sec. (map=53 deg. 16 min. 00 sec.) and run in a Northeasterly direction along the Southeast lot line of said Lot 17 for a distance of 164.92 feet (map=164.75 feet) to an existing 3/4 inch rebar at a bend point in said Southeast lot line of said Lot 17; thence turn an angle to the left of 71 deg. 07 min. 00 sec. and run in a Northeasterly direction along said Southeast lot line of said Lot 17 for a distance of 159.33 feet (map=159.40 feet) to an existing 1 1/2" pipe at the Southerly corner between Lots 17 and 18 of said subdivision; thence turn an angle to the right of 119 deg. 52 min. 34 sec. (map=119 deg. 59 min.) and run in a Southeasterly direction along the Southwest lot line of said Lot 18 for a distance of 376.88 feet (map=376.60 feet) to an existing iron pin at the most Southerly corner of said Lot 18; thence turn an angle to the left of 75 deg. 18 min. 54 sec. (map=75 deg. 50 min. 00 sec.) and run in a Northeasterly direction along the Southeast lot line of said Lot 18 for a distance of 238.87 feet (map=238.95 feet) to an existing iron pin at the most Southerly corner of Lot 19 of said subdivision; thence turn an angle to the left of 24 deg. 59 min. and run in a Northeasterly direction along the Southeast lot line of said Lot 19 for a distance of 301.60 feet to an existing iron pin at the most Southerly corner of Lot 20 of said subdivision; thence turn an angle to the right of 16 deg. 25 min. and run in a North-easterly direction along the Southeast lot line of said Lot 20 for a distance of 308.72 feet to an iron pin set at the most Easterly corner of said Lot 20; thence turn an angle to the right of 13 deg. 16 min. 00 sec. and run in a Northeasterly direction for a distance of 247.20 feet to an iron pin set; thence turn an angle to the right of 39 deg. 52 min. 30 sec. and run in a Southeasterly direction for a distance of 58.82 feet to an iron pin set; thence turn an angle to the right of 28 deg. 44 min. 30 sec. and run in a Southeasterly direction for a distance of 54.62 feet to an iron pin set; thence turn an angle to the right of 29 deg. 40 min. 00 sec. and run in a Southeasterly direction for a distance of 116.56 feet to an iron pin set; thence turn an angle to the right of 26 deg. 21 min. 40 sec. and run in a Southwesterly direction for a distance of 120.72 feet to an iron pin set; thence turn an angle to the right of 41 deg. 39 min. 49 sec. and run in a Southwesterly direction for a distance of 288.85 feet to an iron pin set; thence turn an angle to the left of 16 deg. 06 min. 42 sec. and run in a Southwesterly direction for a distance of 217.47 feet to an iron pin set; thence turn an angle to the right of 61 deg. 50 min. 20 sec. and run in a Southwesterly direction for a distance of 375.99 feet to an iron pin set; thence turn an angle to the right of 23 deg. 20 min. 30 sec. and run in a Southwesterly direction for a distance of 246.02 feet to an iron pin set; thence turn an angle to the left of 29 deg. 53 min. 10 sec. and run in a Southwesterly direction for a distance of 315.82 feet to an iron pin set; thence turn an angle to the left of 24 deg. 10 min. 15 sec. and run in a Southwesterly direction for a distance of 363.71 feet to an iron pin set; thence turn an angle to the right of 76 deg. 46 min. 00 sec. and run in a Southwesterly direction for a distance of 447.03 feet to an iron pin set; thence turn an angle to the left of 9 deg. 15 min. 15 sec. and run in a Southwesterly direction for a distance of 329.70 feet to an iron pin set the Easterly shore line of Hollybrook Lake; run thence in a Northerly direction meandering along said Easterly shore line for a distance of 940 feet, more or less, to the point of beginning.

Accorded to survey of Laurence D. Weyand, Reg. P.E. & L.S. #10373, dated

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

89 MAR -6 AM 9:41

JUDGE OF PROBATE

1. Dead Tax \$

2. Mtg Tax

3. Recording Fee 10.00

4. Indexing Fee 3.00

TOTAL 13.00

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