

THIS INSTRUMENT WAS PREPARED BY:

WILLIAM D. SCRUGGS, ATTORNEY, P.A.
P.O. Box 1109
Fort Payne, Alabama 35967

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WARRANTY DEED, JOINTLY FOR LIFE WITH REMAINDER TO SURVIVOR

STATE OF ALABAMA
COUNTY OF SHELBY

KNOW ALL MEN BY THESE PRESENTS,

That in consideration of **THREE MILLION, TWENTY THOUSAND DOLLARS & 00/100 (\$3,020,000.00)**, to the undersigned Grantor, in hand paid by the Grantees herein, the receipt whereof is hereby acknowledged, we, **Mitch Ashy-Pelham, a Louisiana limited partnership, subsequently named Ashy-Powell-Pelham, the same Louisiana limited partnership, now known as Mitch Ashy-Pelham, the same Louisiana limited partnership, which Louisiana partnership is registered with the Secretary of State's Office of the State of Alabama, which registration includes the name changes as reflected above, by Mitchell N. Ashy, general partner, the Grantor, do grant, bargain, sell and convey unto Robert Schonfeld and Nancy Schonfeld McGoon, the Grantees, for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, together with every contingent remainder and right of reversion, the following described real estate, situated in Shelby County, Alabama, to-wit:**

A parcel of land located in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 13, Township 20 South, Range 3 West, Shelby County, Alabama, more particularly described as follows:

Commence at the SW Corner of said quarter-quarter Section; thence in an easterly direction along the south line of said quarter-quarter Section, a distance of 552.40 ft. to a point on the easterly ROW line of U.S. Highway 31, said point being on a curve to the right, said curve having a radius of 2192.18 ft. and a central angle of 0 deg. 15 min. 44 sec.; thence 86 deg. 01 min. 23 sec. to tangent of said curve; thence along arc of said curve and said ROW line in a northeasterly direction, a distance of 10.03 ft. to the point of beginning; thence 85 deg. 45 min. 39 sec. right, measured from tangent of said curve in an easterly direction, parallel to the south line of said quarter-quarter Section, a distance of 495.84 ft.; thence 81 deg. 09 min. 02 sec. left in a northeasterly direction, a distance of 289.88 ft.; thence 54 deg. 14 min. 46 sec. left, in a northwesterly direction, a distance of 102.69 ft.; thence 54 deg. 14 min. 46 sec. right, in a northeasterly direction, a distance of 313.0 ft.; thence 90 deg. left, in a northwesterly direction a distance of 115.22 ft.; thence 90 deg. right in a northeasterly direction, a distance of 174.22 ft. to the southerly ROW line of Court Place; thence 99 deg. 57 min. 43 sec. left in a westerly direction, along said ROW line, a distance of 50.77 ft.; thence 80 deg. 02 min. 17 sec. left, in a southwesterly direction, a distance of 165.44 ft.; thence 90 deg. right, in a northwesterly direction, a distance of 175.0 ft. to a point on the southeasterly ROW line of said U.S. Highway 31, said point being on a curve to the left, said curve having a radius of 2240.86 ft. and a central angle of 02 deg. 00 min. 05 sec; thence 75 deg. 09 min. 49 sec. left, to tangent of said curve; thence along the arc of said curve and said ROW line, in a southwesterly direction, a distance of 78.27 ft. to the end of said curve and the beginning of a curve to the left, said curve having a radius of 2192.18 ft. and a central angle of 17 deg. 26 min. 41 sec.; thence along arc of said curve and said ROW line in a southwesterly direction, a distance of 667.45 ft. to the point of beginning.

Being the same property as that property shown and described by survey of Reynolds, Perry and Wilson, dated December 13, 1984.

The above property being subject to the following reservations and exceptions:

1. Title to minerals underlying caption lands with mining right and privileges belonging thereto, and covenants relative to blasting and dust as reserved and specified in the deed of conveyance from Alabama Aggregate Company to John D. Stewart, Sr., as recorded in Deed Book 160 at Page 560 in the Probate Office of Shelby County, Alabama.
2. Transmission line permits to Alabama Power Company as recorded in Deed Book 174 at Page 302 and Deed Book 174 at Page 304 and in Deed Book 343 at Page 608 in the Probate Office of Shelby County, Alabama.
3. Drainage Easement to SouthTrust Bank of Alabama as is recorded in Deed Book 353 at Page 494 in the Probate Office of Shelby County, Alabama; located as shown on survey described above.
4. Easement for sanitary sewer and water serving along the south line of said property; located as shown on survey described above.
5. Lease by and between Mitch Ashy Pelham, as lessor, and K Mart Corporation, as lessee, dated May 11, 1979, and recorded in Deed Book 321 at Page 735 in the Probate Office of Shelby County,

BOOK 230 PAGE 557

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Alabama; said lease having been subordinated by Tenant Agreement executed by K Mart Corporation, New England General Life Insurance Company and Ashy-Powell Pelham, dated December 10, 1984, in Real Record 015 at Page 95 in said Probate Office; this conveyance being subject to said lease and said subordination agreement and all right, title and interest of the Grantor as lessor is herein specifically conveyed.

TO HAVE AND TO HOLD to the said Grantees, for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, and to the heirs and assigns of such survivor forever, together with every contingent remainder and right of reversion.

And Mitch Ashy-Pelham does for itself, its successors and assigns, covenant with the said Grantees, their heirs and assigns, that it is lawfully seized in fee simple of said premises; that it is free from all encumbrances, unless otherwise stated above; that it has a good right to sell and convey the same as aforesaid; that it will, and its successors and assigns shall warrant and defend the same to the said Grantees, their heirs and assigns forever, against the lawful claims of all said persons.

IN WITNESS WHEREOF, the Grantor, by and through its General Partner, Mitchell N. Ashy, who is authorized to execute this conveyance, has hereto set its signature and seal this 16th day of March, 1989.

MITCH ASHY-PELHAM, a Louisiana limited partnership

BY: Mitchell N. Ashy
MITCHELL N. ASHY, General Partner.

BOOK 230 PAGE 558

STATE OF Alabama
COUNTY OF Jefferson

I, the undersigned authority, a Notary Public, in and for said County, in said State, hereby certify that Mitchell N. Ashy, as general partner of Mitch Ashy-Pelham, a Louisiana limited partnership, 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, as such general partner and with full authority, executed the same voluntarily for and as the act of said Louisiana limited partnership.

Given under my hand and official seal this 16th day of March, 1989.

Glenda M. Barrow
NOTARY PUBLIC

MY COMMISSION EXPIRES:

Sept 16, 1992

STATE OF ALA. SHLLM
I CERTIFY THIS
INSTRUMENT WAS FILED

89 MAR 16 PM 3: 15

Thomas W. Jennings, Jr.
JUDGE OF PROBATE

1. Docu Tax \$3020.00
2. Mig. Tax
3. Recording Fee 5.00
4. Indexing Fee 1.00
TOTAL 3026.00