

1151
Send Tax Notice To:
Melvin L. Dingler and
Billie Jane Dingler
Box 975, Route 1
Leeds, AL 35094

STATE OF ALABAMA)

SHELBY COUNTY)

WARRANTY DEED

THIS IS A WARRANTY DEED executed and delivered this 25TH day of August, 1989, by BIRMINGHAM REALTY COMPANY, an Alabama corporation (hereinafter referred to as the "Grantor"), to MELVIN L. DINGLER and wife BILLIE JANE DINGLER (hereinafter referred to as the "Grantees").

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of the simultaneous transfer and conveyance by the Grantees of a parcel of real estate situated in Shelby County, Alabama, to Grantor, the Grantor does by these presents, grant, bargain, sell and convey unto 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 real estate described in Exhibit "A" attached hereto and incorporated herein by reference, situated in Shelby County, Alabama,

TOGETHER WITH all appurtenances thereto belonging or in anywise appertaining and all right, title and interest of Grantor in and to any and all roads, alleys and ways bounding said premises.

This conveyance is subject to the following:

1. Ad valorem taxes for tax year 1989 and all subsequent years;

2. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges, immunities and release of damages relating thereto (as to SW 1/4 and NW/SE of Section 3, Township 18, Range 1 East);

3. Right of way granted to Alabama Power Company by instrument(s) recorded in Deed Book 103, Page 426; Deed Book 82, Page 205; Deed Book 134, Page 16; Deed Book 82, Page 203; Deed Book 114, Page 12; Deed Book 103, Page 473; Deed Book 138, Page 326; Deed Book 138, Page 327; Deed Book 86, Page 553; Deed Book 223, Page 108; Deed Book 103, Page 471; Deed Book 133, Page 363; Deed Book 103, Page 471; and Deed Book 138, Page 459;

4. Right of way to Shelby County as recorded in Probate Minute 23, Page 265; Deed Book 158, Page 422; Deed Book 158, Page 423; and Deed Book 167, Page 244;

5. Railroad right of way as recorded in Deed Book 8, Page 561; and

6. Riparian and other rights created by the fact that the subject property fronts on Shoal Creek.

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

BOOK 253 PAGE 474
Berbowitz, L. L. L. L.

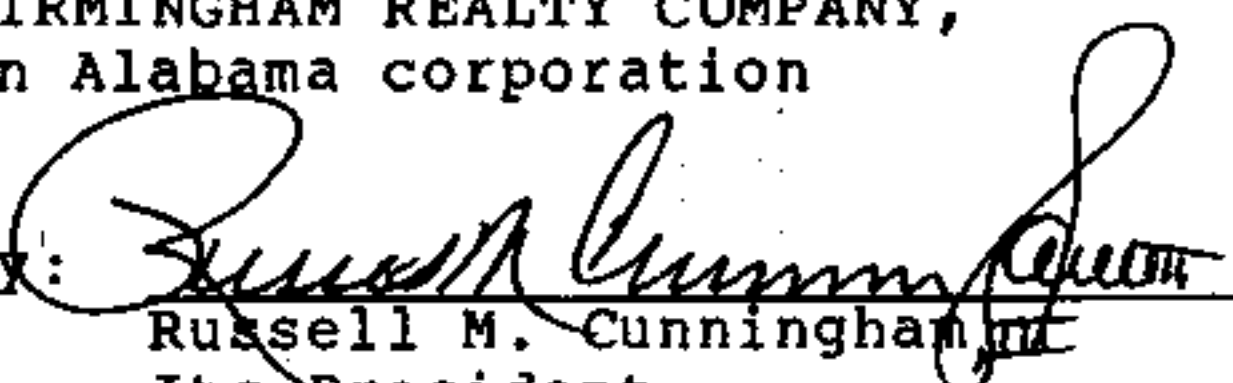
contingent remainder and right of reversion; it being the intention of the parties to this conveyance that (unless the joint tenancy hereby created is severed or terminated during the joint lives of the Grantees) in the event one Grantee herein survives the other, the entire interest in fee simple shall pass to the surviving Grantee, and if one does not survive the other, then the heirs and assigns of the Grantees herein shall take as tenants in common.

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

IN WITNESS WHEREOF, the Grantor caused this Warranty Deed by its duly authorized officer on this 25th day of August, 1989.

BIRMINGHAM REALTY COMPANY,
an Alabama corporation

By:


Russell M. Cunningham
Its President

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that RUSSELL M. CUNNINGHAM, whose name as President of Birmingham Realty Company, an Alabama corporation, is signed to the foregoing Warranty Deed and who is known to me, acknowledged before me on this day that, being informed of the contents of the Warranty Deed, he, in his capacity as such officer and with full authority, executed the same voluntarily for and as the act of said corporation on the day the same bears date.

Given under my hand this the 25th day of August, 1989.


Notary Public

My Commission Expires: 4-19-91

06970

EXHIBIT "A"

a parcel of land situated part in the S.W.1/4 of the N.E.1/4, part in the N.W.1/4 of the S.E.1/4, part in the N.E.1/4 of the S.E.1/4, part in the S.W.1/4 of the S.E.1/4, all being Section 4, Township 18 South, Range 1 East, described as follows:

Beginning at the S.W. Corner of the S.W.1/4 of the N.E.1/4 of Section 4 go South 87 Degrees 59 Minutes 46 Seconds East along the South Boundary of said 1/4 - 1/4 Section for 364.34 feet to an existing iron pin; thence North 02 Degrees 00 Minutes 54 Seconds East for 567.04 feet to an existing iron pin; thence North 32 Degrees 37 Minutes 45 Seconds East for 98.77 feet to an existing iron pin; thence North 75 Degrees 32 Minutes 43 Seconds East for 149.98 feet; thence North 20 Degrees 11 Minutes 11 Seconds West for 350.46 feet to a point on a curve to the right on the South Boundary of Shelby County Highway No.41, said curve having a central angle of 03 Degrees 59 Minutes 28 Seconds and a radius of 2407.16 feet; thence Northeasterly along said curve and said South Boundary for 187.66 feet to the Point of Tangent; thence North 81 Degrees 18 Minutes 56 Seconds East along said South Boundary for 699.81 feet to the East Boundary of the S.W. 1/4 of the N.E. 1/4 of said Section 4; thence South 00 Degrees 22 Minutes 33 Seconds West along the East Boundary of said 1/4 - 1/4 Section for 1179.91 feet to the N.W. Corner of the N.E.1/4 of the S.E.1/4 of said Section 4; thence South 87 Degrees 53 Minutes 46 Seconds East along the North Boundary of said 1/4 - 1/4 Section for 945.00 feet to the centerline of Shoal Creek;

thence Ten Courses (10) along said centerline as follows :

go South 58 Degrees 04 Minutes 53 Seconds West for 23.11 feet; thence South 16 Degrees 10 Minutes 44 Seconds West for 213.38 feet; thence South 55 Degrees 02 Minutes 55 Seconds West for 72.89 feet; thence South 14 Degrees 41 Minutes 15 Seconds West for 49.90 feet; thence South 78 Degrees 10 Minutes 48 Seconds West for 122.29 feet; thence South 68 Degrees 27 Minutes 45 Seconds West for 151.35 feet; thence South 55 Degrees 09 Minutes 53 Seconds West for 56.39 feet; thence South 63 Degrees 02 Minutes 53 Seconds West for 329.70 feet; thence South 10 Degrees 13 Minutes 24 Seconds East for 47.95 feet; thence South 57 Degrees 55 Minutes 09 Seconds East for 215.87 feet; thence South 84 Degrees 47 Minutes 41 Seconds West for 1323.78 feet to a point on the Northerly Boundary of Highway 25, said point being the beginning of a curve to the left having a central angle of 71 Degrees 30 Minutes 01 Seconds and a radius of 150.43 feet; thence Westerly along said curve for 187.72 feet to the Point of Intersection of the North Boundary of Highway No.25 and the Easterly Boundary of Norfolk Southern Railway; thence North 54 Degrees 05 Minutes 05 Seconds West along the Easterly Boundary of said Railway for 299.03 feet; thence North 00 Degrees 24 Minutes 50 Seconds East for 797.24 feet; thence North 13 Degrees 36 Minutes 45 Seconds West for 412.34 feet to the Point of Beginning, containing 67.59 Acres more or less.

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

89 AUG 29 AM 8:10

Thomas A. Snowden, Jr.
JUDGE OF PROBATE

1. Deed Tax \$ 156.50
2. Mtg. Tax
3. Recording Fee 7.50
4. Indexing Fee 1.00
TOTAL 168.00

7.50
1.00
3.00
217.00

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