

Send Tax Notice To:

Ruby G. Marks  
Route 1, Box 1010A  
Leeds, AL. 35094

STATE OF ALABAMA )

SHELBY COUNTY )

104, 192.5

WARRANTY DEED

THIS IS A WARRANTY DEED executed and delivered this 23<sup>RD</sup> day of MARCH, 1990, by BIRMINGHAM REALTY COMPANY, a corporation, (hereinafter referred to as the "Grantor"), to RUBY G. MARKS, a widow, and HERBERT R. MARKS, a married man, as joint tenants with right of survivorship (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, 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 1990 and all subsequent years;

2. Transmission line permit to Alabama Power Company as recorded in Deed Book 131, Page 163; and Deed Book 141, Page 593, in the Probate Office of Shelby County, Alabama;

3. Right of way to Shelby County as recorded in Deed Book 260, Page 760; and Deed Book 260, Page 762, in the Probate Office of Shelby County, Alabama;

4. Title to minerals underlying and SE 1/4 of SE 1/4, Section 27, Township 17 South, range 1 East, Shelby County, Alabama, as reserved in Deed Book 37, Page 266, in the Probate Office of Shelby County, Alabama;

5. Title to one-half interest in minerals to the S 1/2 of NW 1/4 of NE 1/4, and NE 1/4 of NE 1/4, Section 34, Township 17 South, Range 1 East, as reserved in Deed Book 104, Page 67, in the Probate Office of Shelby County, Alabama;

6. Easement to Bell Telephone Company as shown in Deed Book 132, Page 61, in the Probate Office of Shelby County, Alabama.

TO HAVE AND TO HOLD, to the said Grantees in fee simple, and to their heirs and assigns forever.

And said Grantor does for itself, its successors and assigns covenant with said Grantees, their heirs,

*Berkowitz Lejkovits*

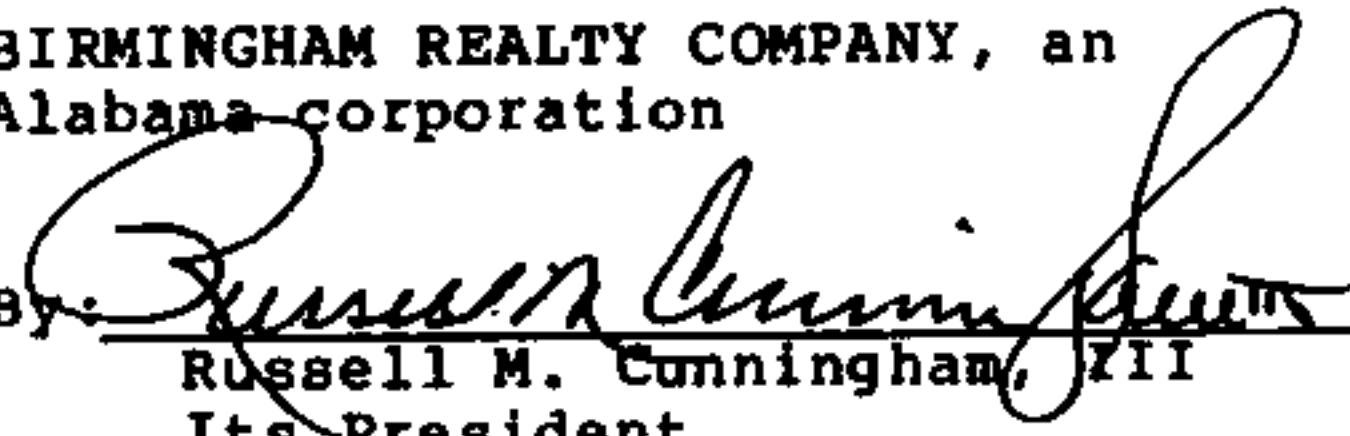
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administrators and assigns, that it is lawfully seized in fee simple of said premises; that said premises are free from all encumbrances, except as noted above; that it has a good right to sell and convey the same as aforesaid; and that it will, and 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 to be executed by its duly authorized officer on this 23<sup>rd</sup> day of March, 1990.

BIRMINGHAM REALTY COMPANY, an  
Alabama corporation

By:

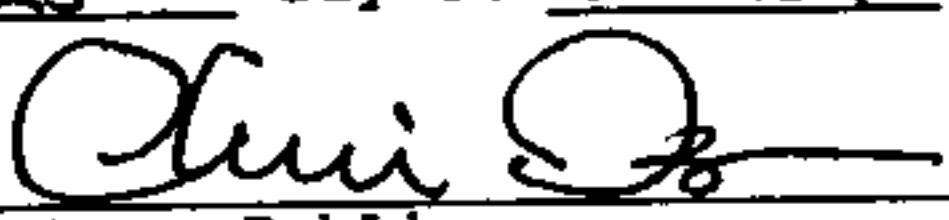
  
Russell M. Cunningham, III  
Its President

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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, III, whose name as President of Birmingham Realty Company, Inc., 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, executed the same voluntarily on the day the same bears date.

Given under my hand this the 23<sup>rd</sup> day of March, 1990.

  
Notary Public

My Commission Expires: 4-19-92

# EXHIBIT A

The NE 1/4 of the NE 1/4, the SE 1/4 of the NW 1/4 of the NE 1/4 of Section 34, and the S 1/2 of the S 1/2 of the SE 1/4 of the SE 1/4 of Section 27, Township 17 South, Range 1 East, described as follows:

Beginning at the NE corner of the NE 1/4 of the NE 1/4 of Section 34, go South 00 degrees 08 minutes 17 seconds West along the East boundary of said 1/4-1/4 Section for 1323.90 feet to the SE corner of said 1/4-1/4 Section; thence North 89 degrees 13 minutes 28 seconds West along the South boundary of said 1/4-1/4 Section for 1322.45 feet to the SE corner of the SE 1/4 of NW 1/4 of the NE 1/4 of Section 34; thence continue North 89 degrees 13 minutes 28 seconds West along the South boundary of said SE 1/4 of the NW 1/4 of the NE 1/4 of Section 34 for 661.22 feet to the SW corner of said 1/4-1/4-1/4 Section; thence North 00 degrees 15 minutes 02 seconds East along the West boundary of said 1/4-1/4-1/4 Section for 660.15 feet to the NW corner of said 1/4-1/4-1/4 Section; thence South 89 degrees 49 minutes 49 seconds East along said the North boundary of said 1/4-1/4-1/4 Section for 659.13 feet to the West boundary of the NE 1/4 of the NE 1/4 of Section 34; thence North 00 degrees 04 minutes 23 seconds East along said West boundary for 667.14 feet to an existing iron pin and the SW corner of the S 1/2 of the S 1/2 of the SE 1/4 of the SE 1/4 of Section 27; thence North 00 degrees 10 minutes 55 seconds East along the West boundary of said S 1/2 of S 1/2 of SE 1/4 of SE 1/4 Section for 327.31 feet to the NW corner of said S 1/2 of S 1/2 of SE 1/4 of SE 1/4, Section; thence South 88 degrees 55 minutes 11 seconds East along the North boundary of said S 1/2 of S 1/2 of SE 1/4 of SE 1/4, Section for 1324.86 feet to the NE corner of said S 1/2 of S 1/2 of SE 1/4 of SE 1/4 Section; thence South 00 degrees 19 minutes 07 seconds West along the East boundary of said S 1/2 of S 1/2 of SE 1/4 of SE 1/4 Section for 330.61 feet to the point of beginning.

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STATE OF ALA. SHELBY CO.  
I CERTIFY THIS  
INSTRUMENT WAS FILED  
90 MAR 27 AM 10:49

JUDGE OF PROBATE

1. Deed Tax	\$ 104.50
2. Mtg. Tax	\$ 7.50
3. Recording Fee	\$ 3.00
4. Indexing Fee	\$ 1.00
5. No Tax Fee	\$ 1.00
6. Certified Fee	\$ 1.00
Total	\$ 116.00