

THIS INSTRUMENT PREPARED BY:
BEN L. ZARZAUR, Attorney
2125 Morris Avenue
Birmingham, Alabama 35203

SEND TAX NOTICE TO:
E. Wayne McCain
2000 McCain Parkway
Pelham, AL 35124

WARRANTY DEED (With Survivorship)

STATE OF ALABAMA)

JEFFERSON COUNTY)

KNOW ALL MEN BY THESE PRESENTS:

Value \$10,000

That in consideration of One Dollar (\$1.00) and other good and valuable consideration, to the undersigned grantor, E. WAYNE MCCAIN, a married man, (herein referred to as Grantor), in hand paid by the Grantees herein, the receipt of which is hereby acknowledged, the said Grantor does by these presents, grant, bargain, sell and convey unto E. WAYNE MCCAIN, KYLE WAYNE MCCAIN and KENT MICHAEL MCCAIN (herein referred to as "Grantees"), as joint tenants, with right of survivorship, the following described real estate, situated in Shelby County, Alabama, to-wit:

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A parcel of land located in the Northeast 1/4 of Section 25, Township 20 South, Range 3 West, Shelby County, Alabama, described as follows: Commence at the Northeast corner of said 1/4; thence run West along the North line of said 1/4 a distance of 1093.75 feet to the point of beginning, said point being on the Westerly right of way of Interstate 65; thence continue last described course a distance of 200.53 feet to a point on the center line of the CSX Railroad; thence run the following described courses along said center line of CSX Railroad; thence turn left 90 deg. 59 min. 23 sec. and run Southerly a distance of 1756.90 feet; thence turn left 0 deg. 20 min. 07 sec. and run Southerly a distance of 103.28 feet; thence turn left 1 deg. 37 min. 25 sec. and run Southerly a distance of 102.56 feet; thence turn left 3 deg. 29 min. 17 sec. and run Southerly a distance of 103.83 feet; thence turn left 5 deg. 50 min. 44 sec. and run Southeasterly a distance of 103.10 feet; thence turn left 6 deg. 05 min. 18 sec. and run Southeasterly a distance of 103.62 feet; thence turn left 6 deg. 40 min. 11 sec. and run Southeasterly a distance of 105.84 feet; thence turn left 6 deg. 22 min. 51 sec. and run Southeasterly a distance of 107.26 feet; thence turn left 7 deg. 48 min. 19 sec. and run Southeasterly a distance of 140.96 feet; thence turn left 111 deg. 07 min. 10 sec. and run Northeasterly and leaving said center line a distance of 64.68 feet to a concrete monument on the Westerly right of way of Interstate 65; thence run the following described courses along said Westerly right of way; thence turn left 33 deg. 01 min. 26 sec. and run Northerly 1715.50 feet to a concrete monument; thence turn right 26 deg. 32 min. 58 sec. and run Northeasterly a distance of 55.95 feet to a concrete monument; thence turn left 26 deg. 32 min. 58 sec. and run Northerly 243.81 feet to a point of curve; thence turn left 0 deg. 21 min. 26 sec. and run Northerly a chord distance of 498.69 feet to the point of beginning; being situated in Shelby County, Alabama. Mineral and mining rights excepted.

SUBJECT TO:

1. Ad valorem taxes for the current year.
2. Transmission Line Permit to Alabama Power Company as shown by instrument recorded in Deed Book 126, page 303 in Probate Office.

3. Right-of-way granted to State of Alabama by instrument recorded in Deed Book 282 page 413 in Probate Office.

4. All existing, future or potential common law of statutory rights of access between the right of way of Interstate I-65 and subject property as conveyed and relinquished to the State of Alabama.

5. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto. Mineral rights currently assessed by Ruth Puvis Worrell.

6. Right-of-Way granted to Seaboard Coastline Railroad and Right of Way for I-65 as the same are presently located.

7. Lease of Oil, Gas and Minerals as shown by instrument recorded in Deed Book 331 page 699 in Probate Office.

8. Less and except any portion of subject property within railroad right of way.

The Grantor hereby certifies that the above described property does not constitute the homestead of said grantor as defined by Code Section 6-10-2.

This deed was prepared at the request of the Grantor without the benefit of title insurance and with a legal description furnished by the Grantor.

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TO HAVE AND TO HOLD Unto the said grantees, as joint tenants, with right of survivorship, their heirs and assigns forever; 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 herein) 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 I, do for myself and for my heirs, executors, and administrators, covenant with the grantees, and the grantees' heirs and assigns, that I am lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that I, have a good right to sell and convey the same as aforesaid; that I will and my heirs, executors and administrators shall warrant and defend the same to the grantees and the grantees' heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, I have hereunto set my hand and seal, this

17 day of September, 1991.


E. Wayne McCain

STATE OF ALABAMA)

SHELBY COUNTY)

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that E. WAYNE MCCAIN, 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 executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 17 day of September, 1991.

Sherron Johnson Moore
Notary Public

My Commission Expires:

6/23/95

1. Deed Tax	<u>10.00</u>
2. Mtg. Tax	
3. Recording Fee	<u>7.50</u>
4. Indexing Fee	<u>3.00</u>
5. No Tax Fee	
6. Certified Fee	<u>1.00</u>
Total.....	<u>21.50</u>

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

91 SEP 25 AM 10:40

JUDGE OF PROBATE