

This Instrument Prepared By:  
James F. Burford, III  
Attorney at Law  
Suite 200, 100 Vestavia Office Park  
Birmingham, Alabama 35216

Send Tax Notice To:  
Jeffrey M. Stern  
325 1st Ave. N.  
Birmingham, Alabama 35204

**WARRANTY DEED**

STATE OF ALABAMA )

SHELBY COUNTY )

**KNOW ALL MEN BY THESE PRESENTS:** That in consideration of One Hundred Twenty-Five Thousand and No/100 Dollars (\$125,000.00) to the undersigned Grantor (whether one or more), in hand paid by the Grantee herein the receipt whereof is acknowledged, I, RANDALL H. GOGGANS, a married man (herein referred to as Grantor, whether one or more), grant, bargain, sell and convey unto JEFFREY M. STERN (herein referred to as Grantee, whether one or more), the following described real estate, situated in Shelby County, Alabama, to-wit:

SEE EXHIBIT "A" FOR LEGAL DESCRIPTION

SUBJECT TO: (1) Taxes due in the year 1994 and thereafter; (2) Unrecorded easements for power and tower lines, including telephone lines, on or over and across said lands, including the easements described in instrument from Kimberly-Clark Corporation to Alabama Power Company dated September 18, 1969, from Belcher family to Alabama Power Company dated November 18, 1965, and Condemnation for rights in that certain case in which the final decree was rendered on February 4, 1966 in the Probate Office of Shelby County, Alabama, as well as other unrecorded easements for lines across subject property in said Section 17 that is not granted in the easements herein mentioned; (3) Agreement and grant of easement as set out as Instrument #1994-6147 in Probate Office; and (4) The rights of others in and to the timber and rights of way relating thereto on that portion of the property described on Exhibit "A" located in Section 17, Township 20 South, Range 2 West.

The property conveyed herein is not the homestead of the Grantor.

Grantor herein reserves a nonexclusive perpetual easement running with the land for vehicular and pedestrian ingress and egress and for utilities. Said easement is 30 feet in width and is located East of the Westerly property line as shown on the attached Exhibit "B". Such easement is intended to benefit all real property acquired by Grantor as described in deeds recorded in Instrument #1993-41699 and Instrument #1994-05135 in the Office of the Judge of Probate of Shelby County, Alabama. All costs associated with the construction and maintenance of a roadway over said easement shall be borne by Grantor, his successors and assigns. No cost of construction or maintenance of any roadway constructed on the said easement shall ever be borne by Grantee, his successors or assigns. Grantor intends to construct a roadway along said easement and to offer such roadway to be dedicated to the appropriate governmental authority as a public road. In such event, Grantee, his successors and assigns, agree to join in such dedication as necessary and further, confers upon Grantor, his successors and assigns, an irrevocable power of attorney which agency is expressly coupled with an interest authorizing Grantor, his successors and assigns to effect such dedication.

The property conveyed herein shall not be used for any purpose other than uses allowable under Pelham, Alabama agricultural or residential zoning ordinances.

**TO HAVE AND TO HOLD** to the said Grantee, his successors and assigns forever.

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03/31/1994-10603  
03:29 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
004 MCD 141.00

Inst # 1994-10603

And I do for myself and for my heirs, executors and administrators, covenant with said Grantee, his successors and assigns, that I am lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise stated above; that I have a good right to sell and convey the same as aforesaid; that I will, and our heirs, executors and administrators shall warrant and defend the same to the said Grantee, his successors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the undersigned has hereunto set his hand and seal, this the 25 day of March, 1994.

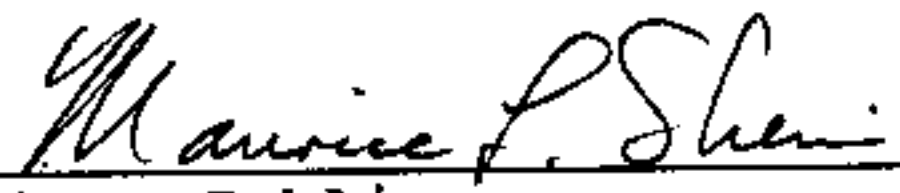
  
Randall H. Goggans

STATE OF ALABAMA )

COUNTY OF JEFFERSON )

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that RANDALL H. GOGGANS, a married man, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this date that, being informed of the contents of said instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 25 day of March, 1994.

  
Notary Public  
My Commission Expires: 4-4-94

## EXHIBIT "A"

### Property Description

Commencing at the N.W. Corner of the S.W. 1/4 of the S.W. 1/4 of Section 8, Township 20S, R 2W; thence S 87 deg.-13'31" E and run a distance of 394.59' to the Point of Beginning; thence continue along the last described course a distance of 106.45'; thence S 00deg.-54'59" E and run a distance of 1310.46' to a point on the north line of Section 17; thence continue long the last described course and run a distance of 825.0'; thence S 51deg.-09'34" W and run a distance of 407.57' to a point on the northerly right-of-way line of an Alabama Power Transmission Line Easement (200' R.O.W.); thence leaving said right-of-way on a bearing of N 10deg.-38'48" E and run a distance of 1105.02' to a point on the north line of Section 17; thence N 86deg.-51'19" W and along the North line of said Section 17 and run a distance of 159.60'; thence N 12deg.-17'36" E and leaving said north line of said Section 17 and run a distance of 258.91' to the point of a curve to the left, said curve having a radius of 300.00' and a central angle of 19deg.-44'41"; thence continue along the arc of said curve a distance of 103.38' to the end of said curve; thence N 06deg.-17'59" W and run a distance of 442.19' to the point of a curve to the right, said curve having a radius of 200.00' and a central angle of 19deg.-08'43"; thence continue along the arc of said curve a distance of 66.83' to the end of said curve; thence N 12deg.-50'43" E and run a distance of 139.55' to the point of a curve to the left, said curve having a radius of 200.00' and a central angle of 41deg.-41'50"; thence run along the arc of said curve a distance of 145.55' to the end of said curve; thence N 32deg.-15'08" E and run a distance of 187.03' to the Point of Beginning.

Said parcel contains 10.5 acres more or less.

EXHIBIT  
'B'

- 0 easement was failed
- 1 easement was set

CENTERLINE OF  
PROPOSED HIGHWAY

10.5 ACRES

30' EASEMENT  
LOCATION

Inst # 1994-10603

03/31/1994-10603  
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SHELBY COUNTY JUDGE OF PROBATE  
004 MCD. \$441.00

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