

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

Send Tax Notice To:
Applegate Realty, Inc.
1 Riverchase Office Plaza, Suite 124
Birmingham, AL 35244

WARRANTY DEED

STATE OF ALABAMA)

SHELBY COUNTY)

KNOW ALL MEN BY THESE PRESENTS: That in consideration of Ninety-Eight Thousand Seven Hundred Fifty and No/100 (\$98,750.00) to BARBARA H. WHITMAN, unmarried and Thirty-One Thousand Five Hundred and No/100 Dollars (\$31,500.00) to HARPER J. WHITMAN and wife, KELLY L. WHITMAN the undersigned Grantor (whether one or more), in hand paid by the Grantee herein, the receipt whereof is acknowledged, we, BARBARA H. WHITMAN, unmarried and HARPER J. WHITMAN and wife, KELLY L. WHITMAN (herein referred to as Grantor, whether one or more), grant, bargain, sell and convey unto APPLGATE REALTY, INC. (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) Transmission Line Permit(s) to Alabama Power Company as shown by instrument(s) recorded in Deed 127, Page 442 in Probate Office; (3) Right(s)-of-Way(s) granted to Shelby County by instrument(s) recorded in Deed 180, Page 539 in Probate Office; (4) Right(s)-of-Way(s) granted to South Central Bell by instrument(s) recorded in Real 116, Page 275 in Probate Office.

The 20 foot easement for access set out in Instrument #1992-18506 is hereby extinguished by the merger of title.

\$125,000.00 of the consideration recited herein was derived from a mortgage loan closed simultaneously herein.

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

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

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals, this the 15 day of JULY, 1994.

Barbara H. Whitman
Barbara H. Whitman

Harper J. Whitman
Harper J. Whitman

Kelly L. Whitman
Kelly L. Whitman
Inst # 1994-23471

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07/27/1994-23471
08:22 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 HCD 15.50

Inst # 1994-23471

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned authority, a Notary Public, in and for said County and in said State, hereby certify that BARBARA H. WHITMAN, unmarried, 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, she has executed the same voluntarily on the day the same bears date.

Given under my hand and seal this 15 day of JULY, 1994.



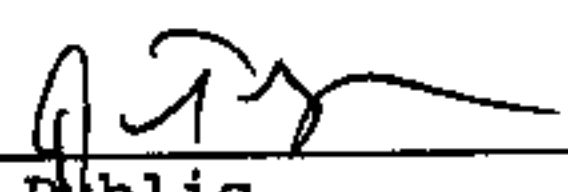
Notary Public
My Commission Expires: 3.1.98

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned authority, a Notary Public, in and for said County and in said State, hereby certify that HARPER J. WHITMAN and wife, KELLY L. WHITMAN is signed to the foregoing instrument, and who are known to me, acknowledged before me on this date, that, being informed of the contents of said instrument, they have executed the same voluntarily on the day the same bears date.

Given under my hand and seal this 15 day of JULY, 1994.



Notary Public
My Commission Expires: 3.1.98

EXHIBIT "A"

A parcel of land situated in the SE 1/4 of the NW 1/4 of Section 16, Township 20 South, Range 2 West, Shelby County, Alabama, described as follows:

Begin at the NW corner of the SE 1/4 of the NW 1/4 of Section 16, Township 20 South, Range 2 West, thence then run South along the west line of said 1/4-1/4 for 1114.23 feet to the southerly R/W of Alabama Power Company R/W; thence 84 deg. 55 min. 14 sec. left run Southeasterly along said R/W for 943.95 feet to the Northerly R/W of Shelby County Highway No. 11; thence 33 deg. 55 min. 10 sec. left run Northeasterly along last said R/W for 79.39 feet; thence 98 deg. 26 min. 13 sec. left run Northwesterly for 168.98 feet; thence 12 deg. 23 min. right run Northwesterly for 114.86 feet; thence 24 deg. 53 min. 37 sec. right run Northerly for 537.0 feet; thence 90 deg. 00 min. right run Easterly for 438.0 feet to the east line of said 1/4-1/4 section; thence 90 deg. 00 min. left run North along said east line thereof for 333.34 feet to the NE corner of said 1/4-1/4 section; thence 88 deg. 57 min. 38 sec. left run West for 1284.88 feet to the Point of Beginning.

LESS AND EXCEPT:

Begin at the NE corner of the SE 1/4 of the NW 1/4 of Section 16, Township 20 South, Range 2 West; thence run West along the North line of said 1/4-1/4 for 451.93 feet; thence 91 deg. 02'22" left run South for 341.54 feet; thence 90 deg. 00' left run East for 451.00 feet to the East line of said 1/4-1/4; thence 90 deg. 00' left run North for 333.34 feet to the Point of Beginning.

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