

This instrument was prepared by:
Clayton T. Sweeney, Esquire
2700 Highway 280 East
Suite 290E
Birmingham, Alabama 35223

Send Tax Notice to:
Yellowleaf Estates, Inc.
2232 Cahaba Valley Drive
Birmingham, AL 35242

STATE OF ALABAMA)
COUNTY OF SHELBY)

WARRANTY DEED

WHEREAS, Louis Tortorigi and wife, Bonnie S. Tortorigi (hereinafter referred to as "Grantors") are the owners of that certain parcel of land described on Exhibit "A", which is attached hereto and made a part hereof.

WHEREAS, Yellowleaf Estates, Inc., an Alabama Corporation, (hereinafter referred to as "Grantee") is the owner of that certain parcel of land described on Exhibit "B", which is attached hereto and made a part hereof.

WHEREAS, Louis Tortorigi and wife, Bonnie S. Tortorigi and Yellowleaf Estates, Inc. are desirous of simultaneously exchanging their respective properties to each other to satisfy the requirements of Section 1031 of the Internal Revenue Code for a "like kind exchange".

KNOW ALL MEN BY THESE PRESENTS, that in consideration of SIXTY FIVE THOUSAND DOLLARS (\$65,000.00) AND THE EXCHANGE OF THE PROPERTY DESCRIBED IN EXHIBIT "A" FOR THE PROPERTY DESCRIBED IN EXHIBIT "B" AND OTHER GOOD AND VALUABLE CONSIDERATION to the undersigned grantor (whether one or more) **LOUIS TORTORIGI and wife BONNIE S. TORTORIGI**, in hand paid by Grantee herein, the receipt of which is hereby acknowledged, I or we, **LOUIS TORTORIGI and wife, BONNIE S. TORTORIGI** grant, bargain, sell and convey unto **YELLOWLEAF ESTATES, INC.** (hereinafter referred to as "Grantee", whether one or more), the following described real estate (the "property"), situated in Shelby County, Alabama, to-wit:

The property referred to in this deed is described in Exhibit "A" attached hereto and incorporated and made a part of this deed by reference.

The above property is conveyed subject to:

- (1) Ad Valorem taxes for the year 1994 which are a lien but are not due and payable October 1, 1994.
- (2) Existing easements, restrictions, set-back lines and limitations of record.

\$ **ALL** of the consideration was paid from the proceeds of a mortgage loan closed simultaneously herewith. *Inst # 25549*

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

And I (we) do for myself (ourselves) and for my (our) heirs, executors, and administrators covenant with the said GRANTEE, its successors and assigns, that I am (we are) lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that I (we) have a good right to sell and convey the same as aforesaid; that I (we) will and my (our) heirs, executors and administrators shall warrant and defend the same to the said GRANTEE, its successors and assigns forever.

Inst # 1994-25553

08/16/1994-25553
04:22 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
004 MCD 17.00

CLAYTON T. SWEENEY, ATTORNEY AT LAW

Inst # 1994-25553

IN WITNESS WHEREOF, we have hereunto set our hand(s) and seal(s), this 15th day of August, 1994.

GRANTORS:

Louis Tortorigi
LOUIS TORTORIGI

Bonnie S. Tortorigi
BONNIE S. TORTORIGI

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County in said State hereby certify that Louis Tortorigi and wife, Bonnie S. Tortorigi, whose names are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day that, being informed of the contents of the above and foregoing conveyance, they, as such officer, and with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal of office this the 15th day of August, 1994.

[Signature]
NOTARY PUBLIC

My Commission expires: 5/29/95

EXHIBIT "A"

Parcel I

The NE 1/4 of NE 1/4 of Section 33, Township 19 South, Range 1 West. Also, North 1/2 of NW 1/4 of NW 1/4 of Section 34, Township 19 South, Range 1 West, Shelby County, Alabama. Mineral and mining rights excepted.

Parcel II

An easement for a right of described as follows:

A strip of property 60 feet in width, being 30 feet on either side of a center line which centerline is described as follows:

From the South east corner of said SW 1/4 of SE 1/4, run West along the South line of said 1/4 1/4 Section for a distance of 75.16 feet to the point of beginning of said centerline, thence turn an angle to the right of 60 deg. 56 min. and run Northwesterly for a distance of 225 feet, more or less, to the center of a public road. All lying and being in the SW 1/4 of SE 1/4 of Section 28, Township 19 South, Range 1 West, as described in Deed Book 284 page 592.

Parcel III

An easement 60 feet in width for a private road over and across

the NW 1/4 of NE 1/4, Section 33, Township 19 South, Range 1 West. The centerline of said easement is described as follows:
From the Northeast corner of said NW 1/4 of NE 1/4, run West along the North line of said 1/4 1/4 Section for a distance of 75.16 feet to the poitn of beginning of said centerline; thence turn an angle of 110 deg. 29 min. left and run Southeasterly for 72.35 feet; thence turn an angle of 6 deg. 04 min. and run Southeasterly for 31.40 feet; thence turn an angle of 28 deg. 43 min. left and run 35 feet more or less, to the East line of said NW 1/4 of NE 1/4, as described in Deed Book 284 page 588.

All being situated in Shelby County, Alabama.

LL
BSP

EXHIBIT 'B'

Begin at the SE corner of the NW 1/4 of Section 24, Township 19 South, Range 2 East; thence run North along the East line thereof for 2648.54 feet to the Southerly right of way of Shelby County Highway 62 and a curve to the right (having a central angle of 9 degrees 26 minutes 58 seconds and a radius of 1836.76 feet); thence 102 degrees 59 minutes 25 seconds left to tangent of said curve; thence continue along the tangent of said curve and for 302.92 feet to end of said curve; thence continue along the tangent of said curve and right of way for 2290.98 feet to a curve to the right (having a central angle of 15 degrees 30 minutes 51 seconds and a radius of 1875.27 feet); thence continue along said right of way and last said curve for 507.77 feet to end of curve; thence continue along the tangent of last said curve and right of way for 1024.25 feet to the Southeasterly right of way of Seaboard Coast Line Railroad; thence 55 degrees 58 minutes 20 seconds left run Southwesterly along last said right of way for 508.39 feet to the Easterly right of way of Central of Georgia Railroad; thence 66 degrees 52 minutes left run Southeasterly along last said right of way for 2509.45 feet to the South line of SE 1/4 of the NE 1/4 of Section 23, Township 19 South, Range 2 East; thence 68 degrees 38 minutes left run Easterly for 906.93 feet to the SW corner of the NW 1/4 of said Section 24; thence 0 degrees 20 minutes 36 seconds left run Easterly for 2657.86 feet to the point of beginning.

According to survey of Thomas E. Simmons, RLS #12945, dated July 29, 1994.



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