

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

Send Tax Notice to:  
LOUIS TORTORIGI and  
BONNIE S. TORTORIGI

2023 4th Avenue North  
Birmingham, AL 35203

STATE OF ALABAMA )  
COUNTY OF SHELBY )

WARRANTY DEED

335,000

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

**WHEREAS**, Louis Tortorigi and wife, Bonnie S. Tortorigi, (hereinafter referred to as "Grantees") are the owners 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 TEN DOLLARS (\$10.00) 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, **YELLOWLEAF ESTATES, INC.**, an Alabama Corporation, in hand paid by Grantee herein, the receipt of which is hereby acknowledged, I or we, **YELLOWLEAF ESTATES, INC.**, an Alabama Corporation (hereinafter referred to as "Grantor") grant, bargain, sell and convey unto **LOUIS TORTORIGI and wife, BONNIE S. TORTOTIGI** (hereinafter referred to as "Grantees", whether one or more), as joint tenants with right of survivorship, 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. Inst # 25549

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.

**TO HAVE AND TO HOLD** to 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 said Grantor does for itself, its successors and assigns covenant with the said grantees, their heirs and assigns, that it is lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that it has a good right to sell and convey the same as aforesaid; that it will and its successors and assigns shall warrant and defend the same to the said grantees, their heirs, executors and assigns forever, against the lawful claims of all persons.

08/16/1994-25554  
04:22 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
004 NCD 17.00

CLAYTON T. SWEENEY, ATTORNEY AT LAW

Inst # 1994-25554

**IN WITNESS WHEREOF**, the said Grantor, by its President, William F. Spratlin, who is authorized to execute this conveyance, has hereunto set its signature and seal, this 15th day of August, 1994.

GRANTOR:

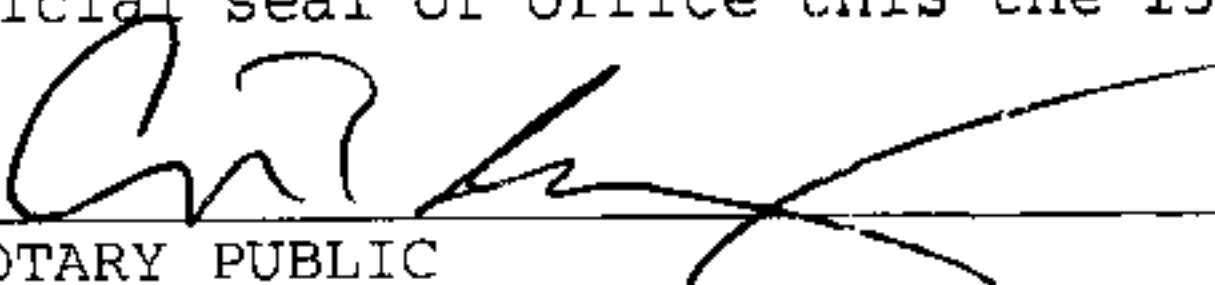
YELLOWLEAF ESTATES, INC.  
an Alabama Corporation

BY:   
William F. Spratlin, President

STATE OF ALABAMA     )  
JEFFERSON COUNTY    )

I, the undersigned, a Notary Public in and for said County in said State hereby certify that William F. Spratlin, whose name as President of Yellowleaf Estates, Inc., an Alabama Corporation, 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 above and foregoing conveyance, he, 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.

  
NOTARY PUBLIC

My Commission expires: 5/29/95

EXHIBIT "A"

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, run Westerly along said right of way and curve 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.

EXHIBIT "B"

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.

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