

10900

WARRANTY DEED

Send Tax Notice To: William V. Dillard  
c/o Sherman Holland, Jr.  
P. O. Box 1008  
Alabaster, Alabama 35007

STATE OF ALABAMA )  
SHELBY COUNTY )

Inst # 1994-33027

KNOW ALL MEN BY THESE PRESENTS: That for and in consideration of TEN AND 00/100 (\$ 10.00) DOLLARS, and other good and valuable consideration, and in partial fulfillment of an integrated plan to effect a Section 1031 tax free exchange, the receipt and sufficiency of which is hereby acknowledged, in hand paid to the undersigned Grantor, ROY MARTIN CONSTRUCTION, INC., a corporation, (herein referred to as Grantor), in hand paid by the Grantee herein, the said Grantor does by these presents, grant, bargain, sell and convey unto WILLIAM V. DILLARD, (herein referred to as Grantee), all its interest in and to the following described real estate, situated in Shelby County, Alabama, to-wit:

A parcel of land situated in the N 1/2 of the SW 1/4 of Section 25, Township 20 South, Range 3 West, more particularly described as follows: Commence at the N.E. Corner of the SW 1/4 of Section 25 and go South 88 Degrees 40 Minutes West along the North Boundary of said 1/4 Section 660.19 feet to an iron pin and the Point of Beginning; thence continue along previous course for 695.80 feet; thence South 01 Degree 20 Minutes East for 121.63 feet; thence South 88 Degrees 43 Minutes 49 Seconds West for 41.40 feet; thence South 13 Degrees 16 Minutes 02 Seconds West for 132.69 feet; thence South 88 Degrees 43 Minutes 49 Seconds West for 200.00 feet to the East Right of Way of U. S. Highway 31; thence run South 13 Degrees 13 Minutes West along said Right of Way for 56.97 feet; thence North 88 Degrees 43 Minutes 49 Seconds East for 994.85 feet to an existing iron pin; thence North 03 Degrees 10 Minutes 36 Seconds West for 306.26 feet to the Point of Beginning.

Subject to: 1. Ad Valorem Taxes for the Year 1995, which said taxes are not due or payable until October 1, 1995. 2. Easement granted to Young and Gravlee Properties as described in instrument recorded in Instrument 1992-31251. 3. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto, together with any release of liability for injury or damage to persons or property as a result of the exercise of such rights as recorded in Deed Book 119, Page 83. 4. Right of Way granted to Alabama Power Company by instrument recorded in Deed Book 103, Page 55. 5. Condemnation for public road as shown by Probate Minutes Record Book 18, Page 521, as referred to in Deed Book 400, Page 137. 6. Agreement of Exoneration, Indemnity and Acceptance of Property "As Is" dated 5/20/92 by and between Michael D. Young and Marci D. Young and Roy Martin Construction Co., Inc. and F. Reid Long.

TO HAVE AND TO HOLD the above property unto the said Grantee, his heirs and assigns forever.

11/04/1994-33027  
03:34 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
DOE MCB 21.00

And said Grantor does for itself, its successors and assigns, covenant with said Grantee, his heirs and assigns, that Grantor is lawfully seized in fee simple of said premises, that they are free from all encumbrances done or suffered by the Grantor, except as shown above, that it has a good right to sell and convey the same as aforesaid, and that it will and its successors and assigns 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 GRANTOR, by its President, Roy L. Martin, who is authorized to execute this conveyance, has hereunto set its signature and seal, this 2nd day of November, 1994.

ROY MARTIN CONSTRUCTION, INC.

By   
Roy L. Martin, Its President

STATE OF ALABAMA )  
                              )  
SHELBY COUNTY )

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Roy L. Martin, whose name as President of Roy Martin Construction, Inc., a 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 conveyance, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this 2nd day of November, 1994.

  
Notary Public  
MY COMMISSION EXPIRES APRIL 27, 1997

This instrument was prepared by:  
John Burdette Bates, Attorney at Law  
#10 Office Park Circle, Suite 122  
Birmingham, Alabama 35223

Inst # 1994-33027

11/04/1994-33027  
03:34 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 MCD 21.00