

SEND TAX NOTICE TO:

(Name) Donald E. Johnson & Wendy E. Johnson

(Address) P. O. Box 414
Chelsea, AL 35043

This instrument was prepared by

(Name) WALLACE, ELLIS, FOWLER & HEAD, ATTORNEYS AT LAW

(Address) COLUMBIANA, ALABAMA 35051

Form 1-1-5 Rev. 5/82

WARRANTY DEED, JOINT TENANTS WITH RIGHT OF SURVIVORSHIP - LAWYERS TITLE INSURANCE CORPORATION, Birmingham, Alabama

STATE OF ALABAMA

SHELBY

COUNTY

KNOW ALL MEN BY THESE PRESENTS,

That in consideration of TWO HUNDRED TEN THOUSAND AND NO/100 (\$210,000.00) ----- DOLLARS

to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt whereof is acknowledged, we,

James Walter Niven, Executor of the Estate of Lloyd Bennett Niven, deceased; James Walter Niven, a married man; Katie Niven Sandlin, a married woman; Clara Niven Lewis, a married woman; and Bennett West Niven, a married man (herein referred to as grantors) do grant, bargain, sell and convey unto

Donald E. Johnson and wife, Wendy E. Johnson

(herein referred to as GRANTEES) as joint tenants, with right of survivorship, the following described real estate situated in

Shelby County, Alabama to-wit:

PROPERTY BEING DESCRIBED ON EXHIBIT "A" ATTACHED HERETO AND MADE PART AND PARCEL HEREOF AS FULLY AS IF SET OUT HEREIN, WHICH SAID EXHIBIT IS SIGNED FOR THE PURPOSE OF IDENTIFICATION.

The hereinabove described property constitutes no part of the homestead of the grantors or their respective spouses.

\$185,500.00 of the purchase price recited above was paid from the proceeds of a purchase money first mortgage and second mortgage executed simultaneously with delivery of this deed.

Inst # 1995-06900

03/16/1995-06900
10:27 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 MCD 41.00

TO HAVE AND TO HOLD Unto 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 I (we) do for myself (ourselves) and for my (our) heirs, executors, and administrators covenant with the said GRANTEES, their heirs 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 GRANTEES, their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, we have hereunto set our hand(s) and seal(s), this 10th

day of March, 19 95.

~~WITNESSES:~~

James Walter Niven (Seal)

Clara Niven Lewis (Seal)

Bennett West Niven (Seal)

STATE OF ALABAMA

SHELBY COUNTY

James Walter Niven (Seal)

James Walter Niven, Executor of the Estate of Lloyd Bennett Niven, deceased (Seal)

Katie Niven Sandlin (Seal)

Katie Niven Sandlin

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that James Walter Niven, a married man whose name 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 executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 10th day of March, A. D., 19 95

Naffar

Ramon Sue Underwood

MY COMMISSION EXPIRES JUNE 23, 1997 Notary Public.

EXHIBIT "A"

PARCEL I:

Begin at the NW corner of the SW 1/4 of the SE 1/4 of Section 28, Township 20 South, Range 1 East; thence run Easterly along the north line thereof for 1403.28 feet to a point on the westerly R/W of Shelby County Road No. 61; and curve concaved to the right (having a radius of 4455.54 feet and a central angle of 6 degrees 59 minutes 02 seconds); thence 127 degrees 48 minutes 20 seconds right to chord of said curve run Southwesterly along said curve and R/W for 543.10 feet to tangent of said curve; thence continue along said R/W for 88.7 feet; thence 90 degrees 00 minutes left run 10.0 feet; thence 90 degrees 00 minutes right continue along said R/W for 350.0 feet; thence 90 degrees 00 minutes right run 10.0 feet; thence 90 degrees 00 minutes left continue along said R/W for 356.90 feet to a curve concaved to the right (having a radius of 2145.26 feet and a central angle of 11 degrees 59 minutes 43 seconds); thence continue along said R/W and last said curve for 449.12 feet to the southerly line of said 1/4-1/4 section; thence 43 degrees 23 minutes 50 seconds right from chord of said curve run Westerly for 201.34 feet to the SW corner of said 1/4-1/4 section; thence 89 degrees 18 minutes right run Northerly for 1331.09 feet to the Point of Beginning.

PARCEL II:

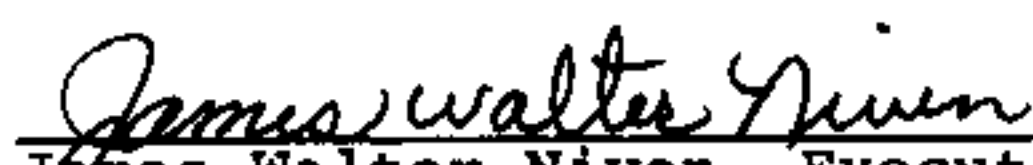
Begin at the NE corner of the SE 1/4 of the SE 1/4 of Section 28, Township 20 South, Range 1 East; thence run Southerly along the west line thereof for 1332.74 feet to the SE corner of said 1/4-1/4; thence 90 degrees 13 minutes 50 seconds right run Easterly along the south line thereof for 2366.52 feet to a point on the easterly R/W of Shelby County Road No. 61 and a curve concaved to the left (having a radius of 2225.26 feet and a central angle of 9 degrees 19 minutes 41 seconds); thence run Northeasterly along said R/W the following described courses) 135 degrees 31 minutes 35 seconds right to chord of said curve run along the arc thereof for 362.28 feet; thence 90 degrees 00 minutes left to tangent of said curve run 10.0 feet; thence 90 degrees 00 minutes right run 206.90 feet; thence 90 degrees 00 minutes right run 10.0 feet; thence 90 degrees 00 minutes left run 676.65 feet; thence (leaving said R/W) for 62 degrees 03 minutes 10 seconds right run Easterly for 291.75 feet; thence 19 degrees 37 minutes 15 seconds left run Northeasterly for 577.93 feet; thence 82 degrees 49 minutes 17 seconds left run Northerly for 412.71 feet to the north line of said 1/4-1/4 section; thence 89 degrees 35 minutes right run Easterly for 656.78 feet to the Point of Beginning.

According to the survey of Thomas Simmons.
Situating in Shelby County, Alabama.

SUBJECT TO THE FOLLOWING EXCEPTIONS AND CONDITIONS:


1. Taxes for 1995 and subsequent years. 1995 ad valorem taxes are a lien but not due and payable until October 1, 1995.
2. Easement to Alabama Power Company recorded in Deed Book 240, Page 611 and as shown on survey of Thomas Simmons.
3. Right of way to Shelby County recorded in Deed Book 190, Page 489 in Probate Office.

SIGNED FOR IDENTIFICATION:


James Walter Niven, Executor
of the Estate of Lloyd Bennett
Niven, Deceased


Clara Niven Lewis


James Walter Niven


Katie Niven Sandlin


Bennett West Niven

STATE OF ALABAMA

COUNTY OF Jefferson

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that James Walter Niven whose name as Executor of the Estate of Lloyd Bennett Niven, deceased 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 Executor, and with full authority, executed the same voluntarily for and as an act of the said estate, acting in his capacity as Executor as aforesaid, on the day the same bears date.

Given under my hand and official seal this 10th day of March, 1995.

Rene S. Underwood
Notary Public

MY COMMISSION EXPIRES JUNE 23, 1997

STATE OF ALABAMA

COUNTY OF Shelby

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Katie Niven Sandlin, a married woman whose name 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 she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 6th day of March, 1995.

Jean I. Lowe
Notary Public

My commission expires: September 19, 1995

STATE OF ALABAMA

COUNTY OF Jefferson

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Clara Niven Lewis, a married woman whose name 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 she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 10th day of March, 1995.

Jean I. Lowe
Notary Public

My commission expires: September 19, 1995

STATE OF ALABAMA

COUNTY OF Shelby

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Bennett West Niven, a married man whose name 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 executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 6th day of March, 1995.

Jean I. Lowe
Notary Public

My commission expires: September 19, 1995

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03/16/1995-06900
10:27 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
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