

**SHELBY COUNTY ABSTRACT & TITLE CO., INC.**

P. O. Box 752 - Columbiana, Alabama 35051  
(205) 669-6204 (205) 669-6291 Fax(205) 669-3130

(Name) David Leighton Brasher, Jr.

(Address) P. O. Box 913  
Columbiana AL 35051

This instrument was prepared by

(Name) Mike T. Atchison, Attorney

(Address) Post Office Box 822

Columbiana, Alabama 35051

Form 1-1-87 Rev. 1-88

**WARRANTY DEED—Lawyers Title Insurance Corporation, Birmingham, Alabama**

STATE OF ALABAMA

SHELBY COUNTY

**KNOW ALL MEN BY THESE PRESENTS:**

That in consideration of Sixty-Five Thousand and no/100-----DOLLARS

to the undersigned grantor (whether one or more), in hand paid by the grantee herein, the receipt whereof is acknowledged, I or we,

Thomas B. Miller, ~~XXX~~, a married man

(herein referred to as grantor, whether one or more), grant, bargain, sell and convey unto

David Leighton Brasher, Jr.

(herein referred to as grantee, whether one or more), the following described real estate, situated in  
Shelby County, Alabama, to-wit:

SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION.

Subject to taxes for 1995 and subsequent years, easements, restrictions, rights of way, and permits of record.

The property described herein is restricted as follows:

There shall be no change to the land without the express written consent of the mortgagee, Thomas B. Miller, Jr., until such time as \$9,750.00 of the above recited purchase price shall be paid.

There shall be no timber cut or sold from caption lands, without the express written consent of the mortgagee, Thomas B. Miller, Jr., until said mortgage is paid in full.

Grantor herein reserves an undivided one-half interest in the minerals underlying caption lands with mining rights and privileges belonging thereto.

All of the above recited consideration was paid from a mortgage recorded simultaneously herewith.

THIS PROPERTY CONSTITUTES NO PART OF THE HOMESTEAD OF THE GRANTOR, OR OF HIS SPOUSE.

THOMAS B. MILLER, JR., IS THE SURVIVING GRANTEE IN THAT CERTAIN DEED RECORDED IN DEED BOOK 260, PAGE 72, IN PROBATE OFFICE OF SHELBY COUNTY, ALABAMA: THE OTHER GRANTEE, LORRAINE TO HAVE AND TO HOLD to the said grantee, his, her or their heirs and assigns forever. FULTON HAVING DIED ON OR ABOUT THE 15th DAY OF OCTOBER, 1983.

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, I have hereunto set my hands(s) and seal(s), this  
day of 19 95

(Seal)

Thomas B. Miller, Jr. (Seal)  
Thomas B. Miller, Jr.

(Seal)

(Seal)

(Seal)

(Seal)

STATE OF ALABAMA

MOBILE COUNTY

04/05/1995-08769  
01:27 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
General Acknowledgment MCD 12.00

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Thomas B. Miller, Jr. 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 executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 24 day of MARCH A. D., 19 95

My Commission Expires 11/24/98 Notary Public.

1995-08769 Inst #

EXHIBIT "A"  
LEGAL DESCRIPTION

The NW 1/4 of the SE 1/4 of the NW 1/4, Section 34, Township 21 South, Range 1 West, Shelby County, Alabama. Less and except one acre square in the SE corner thereof owned by Georgia B. Joiner.

Also, that part of the NE 1/4 of the NW 1/4 and the NW 1/4 of the NE 1/4 of Section 34, Township 21 South, Range 1 West, described as: Begin at the Southeast corner of the NE 1/4 of the NW 1/4, Section 34, Township 21 South, Range 1 West; thence run West along the South line of said 1/4-1/4 Section a distance of 1334.00 feet to the Southwest corner; thence turn a deflection angle of 91 degrees 32 minutes to the right and run North along the West line of said 1/4-1/4 Section a distance of 1341.70 feet to the Northwest corner; thence turn a deflection angle of 88 degrees 17 minutes 07 seconds to the right and run East along the North line of said 1/4-1/4 Section a distance of 457.84 feet; thence turn a deflection angle of 91 degrees 42 minutes 53 seconds to the right and run a distance of 484.50 feet; thence turn a deflection angle of 90 degrees 13 minutes 09 seconds to the left and run a distance of 229.71 feet; thence turn a deflection angle of 90 degrees 00 minutes 00 seconds to the right and run a distance of 340.00 feet; thence turn a deflection angle of 90 degrees 00 minutes 00 seconds to the left and run a distance of 340 feet; thence turn a deflection angle of 90 degrees 00 minutes 00 seconds to the left and run a distance of 332.67 feet; thence turn a deflection angle of 105 degrees 48 minutes 53 seconds to the left and run a distance of 108.41 feet; thence turn a deflection angle of 21 degrees 25 minutes 08 seconds to the left and run a distance of 44.83 feet; thence turn a deflection angle of 127 degrees 14 minutes 01 seconds to the right and run a distance of 64.00 feet; thence turn a deflection angle of 90 degrees 38 minutes 05 seconds to the right and run a distance of 51.62 feet; thence turn a deflection angle of 10 degrees 35 minutes 53 seconds to the left and run a distance of 206.33 feet; thence turn a deflection angle of 30 degrees 22 minutes 14 seconds to the right and run a distance of 84.17 feet; thence turn a deflection angle of 11 degrees 36 minutes 45 seconds to the left and run a distance of 112.87 feet, to the East line of the NE 1/4 of the NW 1/4; thence turn a deflection angle of 81 degrees 51 minutes 40 seconds to the right and run South along the East line of said 1/4-1/4 Section, a distance of 40.29 feet; thence turn a deflection angle of 82 degrees 31 minutes 40 seconds to the left and run a distance of 165.66 feet; thence turn a deflection angle of 1 degree 56 minutes 25 seconds to the left and run a distance of 112.69 feet; thence turn a deflection angle of 27 degrees 55 minutes 39 seconds to the right and run a distance of 58.74 feet; thence turn a deflection angle of 24 degrees 31 minutes 01 second to the right and run a distance of 97.42 feet; thence turn a deflection angle of 35 degrees 48 minutes 19 seconds to the right and run a distance of 282.60 feet; thence turn a deflection angle of 25 degrees 22 minutes 28 seconds to the left and run a distance of 69.31 feet; thence turn a deflection angle of 57 degrees 24 minutes 00 seconds to the left and run a distance of 112.79 feet, to the West right of way line of Alabama State Highway No. 25; thence turn a deflection angle of 115 degrees 31 minutes 12 seconds to the right and run along said right of way a distance of 333.02 feet, to the South line of the NW 1/4 of the NE 1/4; thence turn a deflection angle of 51 degrees 59 minutes 39 seconds to the right and run West along the South line of said 1/4-1/4 Section a distance of 296.54 feet to the point of beginning. Situated in Section 34, Township 21 South, Range 1 West, Shelby County, Alabama.

Less and except that portion of caption lands described as follows:

A part of the NW 1/4 of the NE 1/4 of Section 34, Township 21, Range 1 West, described as follows: Begin at the SW corner of said forty acres and run East 331 feet to West right of way of Ala. Highway No. 25; thence NE along said right of way 360 feet to the West line of road leading from Alabama Highway No. 25 in a Northwesterly direction to the residence of Frank Fulton; thence NW along said road leading from said highway to the residence of Frank Fulton 210 feet; thence Southwest and parallel with the highway 210 feet; thence Southeast and parallel with said road leading from said highway to the residence of Frank Fulton 210 feet to the right of way of said highway; thence Northeast along said highway right of way 210 feet to the point of beginning.

Inst # 1995-08769

04/05/1995-08769  
01:27 PM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE  
002 MCD 12.00