

SEND TAX NOTICE TO:

W. J. Cornay, III
Elizabeth H. Cornay
2704 Woodridge Road
Birmingham, AL 35223

This Instrument Prepared By:

Harold H. Goings
Spain & Gillon
2117 Second Avenue North
Birmingham, Alabama 35203

Inst # 1995-24570
09/06/1995-24570
12:59 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
004 MCD 17.00

Inst # 1995-18147

WARRANTY DEED

STATE OF ALABAMA)

SHELBY COUNTY)

KNOW ALL MEN BY THESE PRESENTS, That in consideration of the sum of SIX HUNDRED FIFTY THOUSAND AND 00/100 DOLLARS (\$650,000.00) to the undersigned Grantors, in hand paid by the Grantees herein, the receipt whereof is acknowledged, we, **TEMPLE W. TUTWILER, III AND WIFE, LUCY C. TUTWILER** (herein collectively referred to as Grantors), do grant, bargain, sell and convey unto **W. J. CORNAY, III AND ELIZABETH H. CORNAY** (herein collectively referred to as Grantees), the following described real estate, situated in Shelby County, Alabama, to-wit:

See Exhibit "A" attached hereto and made a part hereof.

Subject to:

1. ~~Advalorem~~ Taxes for the year 1995, which said taxes are not due or payable until October 1, 1995.
2. Oil, Gas and Mineral Lease, recorded in Deed Book 336, Page 432.
3. Restrictions appearing of record in Deed Book 348, Page 921.

THIS DEED IS BEING RE-RECORDED TO
REFLECT CORRECT LEGAL DESCRIPTION

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4. Right of Way granted to Alabama Power Company by instrument(s) recorded in Real Book 142, Page 205; Deed Book 331, Page 840; Deed Book 315, Page 811; Deed Book 240, Page 444; & Deed Book 231, Page 269.

5. Riparian and other rights created by the fact that the subject property fronts on Hollybrook Lake.

6. 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 Shelby Deed Book 285, Page 722.

7. Easement, as recorded in Shelby Deed Book 285, Page 722.

8. Except any part in a public or private road.

\$600,000.00 of the purchase price recited herein was paid from the proceeds of a mortgage loan closed simultaneously herewith.

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 we do for ourselves and for our heirs, executors, and administrators covenant with the said Grantees, their heirs and assigns, that we are lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that we have a good right to sell and convey the same as aforesaid; that we will and 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 our hands and seals this the 7th day of July, 1995.

Temple W. Tutwiler, III

TEMPLE W. TUTWILER, III

Lucy C. Tutwiler

LUCY C. TUTWILER

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Temple W. Tutwiler, III and wife, Lucy C. Tutwiler, 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 conveyance, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 7th day of July, 1995.

[Signature]
Notary Public

My Commission Expires: 10-21-95

EXHIBIT A

A tract of land situated in Section 24, Township 18 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the northwesterly corner of Lot 5, according to the survey of Mountain View Lake Company First Sector, a map which is recorded in Map Book 3, Page 135 in the Office of the Judge of Probate, Shelby County, Alabama, thence looking northeasterly along the northwesterly line of said Lot 5, turn an angle to the left of 124° 16' 42" and run in a northwesterly direction for a distance of 35.27 feet to the point of beginning of land herein described, thence turn an angle to the right of 132° 53' 57" and run in an easterly direction for a distance of 115.62 feet; thence turn an angle to the left of 31° 07' 00" and run in a northeasterly direction of 153.60 feet; thence turn an angle to the right of 23° 36' 30" and run in a northeasterly direction for a distance of 240.24 feet; thence turn an angle to the right of 97° 19' 00" and run in a southeasterly direction for a distance of 245.98 feet; thence turn an angle to the left of 75° 02' 00" and run in a southeasterly direction for a distance of 108.93 feet; thence turn an angle to the left of 94° 33' 20" and run in a northeasterly direction for a distance of 287.26 feet; thence turn an angle to the left of 14° 23' 55" and run in a northwesterly direction for a distance of 162.72 feet; thence turn an angle to the right of 36° 01' 46" and run in a northeasterly direction for a distance of 133.61 feet; thence turn an angle to the right of 29° 39' 58" and run in a northeasterly direction for a distance of 101.74 feet; thence turn an angle to the right of 39° 15' 49" and run in a southeasterly direction for a distance of 173.55 feet; thence turn an angle to the right of 32° 22' 57" and run in a southeasterly direction for a distance of 157.73 feet; thence turn an angle to the left of 10° 24' 56" and run in a southeasterly direction for a distance of 117.08 feet; thence turn an angle to the left of 90° 18' 44" and run in a northeasterly direction for a distance of 139.44 feet; thence turn an angle to the left of 02° 01' 06" and run in a northeasterly direction for a distance of 90.07 feet; thence turn an angle to the right of 32° 06' 20" and run in a northeasterly direction for a distance of 117.05 feet; thence turn an angle to the left of 92° 11' 49" and run in a northwesterly direction for a distance of 99.33 feet; thence turn an angle to the left of 33° 22' 47" and run in a northwesterly direction for a distance of 56.80 feet; thence turn an angle to the right of 55° 18' 04" and run in a northwesterly direction for a distance of 54.57 feet; thence turn an angle to the left of 36° 26' 10" and run in a northwesterly direction for a distance of 123.38 feet; thence turn an angle to the left of 12° 25' 17" and run in a northwesterly direction for a distance of 59.85 feet; thence turn an angle to the left of 03° 07' 21" and run in a northwesterly direction for a distance of 153.89 feet; thence turn an angle to the left of 15° 59' 38" and run in a northwesterly direction for a distance of 81.33 feet; thence turn an angle to the left of 16° 16' 37" and run in a southwesterly direction for a distance of 82.14 feet; thence turn an angle to the left of 13° 01' 32" and run in a southwesterly direction for a distance of 103.37 feet; thence turn an angle to the left of 07° 12' 17" and run in a southwesterly direction for a distance of 133.71 feet; thence turn an angle to the right of 02° 53' 18" and run in a southwesterly direction for a distance of 129.46 feet; thence turn an angle to the right of 11° 37' 43" and run in a southwesterly direction for a distance of 98.23 feet; thence turn an angle to the left of 12° 47' 49" and run in a southwesterly direction for a distance of 808.85 feet; thence turn an angle to the left of 90° 29' 59" and run in a southeasterly direction for a distance of 548.43 feet; thence turn an angle to the left of 90° 48' 20" and run in a northeasterly direction for a distance of 153.19 feet to the point of beginning.

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