

This instrument was prepared by:  
Clayton T. Sweeney, Attorney  
2700 Hwy. 280E, Suite 290E  
Birmingham, AL 35223

SEND TAX NOTICE TO:  
BROOKCHASE ESTATES,  
L.L.C.  
2232 Cahaba Valley Drive  
Birmingham, AL 35242

**STATE OF ALABAMA)  
SHELBY COUNTY)**

Warranty Deed

KNOW ALL MEN BY THESE PRESENTS, That in consideration of **TWO HUNDRED SEVENTY-FIVE THOUSAND DOLLARS AND NO/100's (\$275,000.00)** to the undersigned grantor or grantors, **DONALD M. ACTON, a married man**, (herein referred to as Grantors, whether one or more), in hand paid by the GRANTEES herein, the receipt of which is hereby acknowledged, the said GRANTORS do grant, bargain, sell, and convey unto **BROOKCHASE ESTATES, L.L.C.** (herein referred to as GRANTEE, whether one or more), the following described real estate, situated in **SHELBY County, Alabama**:

Inst # 1996-08489

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

The above described property does not constitute the homestead of the grantor nor his spouse.

**Subject to:**

Ad valorem taxes for 1996 and subsequent years not yet due and payable until October 1, 1996.  
Existing covenants and restrictions, easements, building lines, and limitations of record.

The entire purchase price was paid from the proceeds of a mortgage loan recorded simultaneously herewith.

TO HAVE AND TO HOLD Unto the said GRANTEE, his, her or their heirs and assigns forever.

And I/we do for myself/ourselves and for my/our heirs, executors, and administrators covenant with said GRANTEES, their heirs and assigns, that I am/we are lawfully seized in fee simple of said premises; that the 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/we have hereto set my/our hand(s) and seal(s), this the 14th day of March, 1996.

  
DONALD M. ACTON

**STATE OF ALABAMA)  
JEFFERSON COUNTY)**

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that **DONALD M. ACTON**, 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 he conveyance, they, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this the 14th day of March, 1996.

  
Notary Public

My Commission Expires: 5/29/99

Inst # 1996-08489

03/15/1996-08489  
10:30 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
003 MCD 15.50

*Polay*

EXHIBIT "A"

PARCEL I

A parcel of land in the South 1/2 of the SE 1/4 of Section 34, Township 19 South, Range 1 West, Shelby County, Alabama, described as follows:

Commence at the Southeast corner of Section 34, Township 19 South, Range 1 West; thence run West along the South line of Section 34 for a distance of 1558.67 feet to the point of beginning; from the point of beginning thus obtained continue along the last described course for a distance of 672.80 feet to a point on the Northeast right of way of Shelby County Road 337; thence turn an angle to the right of 42 deg. 37 min. 26 sec. and run Northwest along the Northeast right of way for a distance of 435.88 feet; thence turn an angle to the right of 63 deg. 54 min. 12 sec. and run Northeast for a distance of 1064.63 feet to a point on the North line of the South 1/2 of the SE 1/4; thence turn an angle to the right of 73 deg. 22 min. 06 sec. and run East along the said North line of the South 1/2 of the SE 1/4 for a distance of 1883.62 feet to a point on the West right of way of Shelby County Highway No. 47; thence turn an angle to the right of 55 deg. 34 min. 28 sec. to the tangent of a curve to the right having a central angle of 03 deg. 09 min. 36 sec. and a radius of 1392.92 feet; thence run along the arc of said curve along the West right of way of Shelby County Highway No. 47 for a distance of 76.82 feet; thence turn an angle to the right from the tangent if extended to said curve of 54 deg. 22 min. 51 sec. and run Southwest for a distance of 195.18 feet; thence turn an angle to the right of 09 deg. 17 min. 15 sec. and run Southwest for a distance of 58.53 feet; thence turn an angle to the right of 13 deg. 21 min. 10 sec. and run Southwest for a distance of 95.78 feet; thence turn an angle to the right of 09 deg. 02 min. 20 sec. and run Southwest for a distance of 110.97 feet; thence turn an angle to the right 09 deg. 46 min. 30 sec. and run in a Southwest direction for a distance of 52.53 feet; thence turn an angle to the left of 04 deg. 12 min. 50 sec. and run Southwest for a distance of 188.45 feet; thence turn an angle to the right of 0 deg. 39 min. 05 sec. and run Southwest for a distance of 84.16 feet; thence turn an angle to the right of 04 deg. 19 min. 45 sec. and run Southwest for a distance of 131.51 feet; thence turn an angle to the right of 44 deg. 07 min. 45 sec. and run Northwest for a distance of 115.65 feet; thence turn an angle to the left of 04 deg. 33 min. 45 sec. and run Northwest for a distance of 136.97 feet; thence turn an angle to the left of 30 deg. 31 min. 20 sec. and run Southwest for a distance of 557.56 feet; thence turn an angle to the left of 93 deg. 46 min. 23

EXHIBIT "A" CONTINUED

sec. and run Southeast for a distance of 641.41 feet to the point of beginning; being situated in Shelby County, Alabama.

Parcel II

A parcel of land situated in the SE 1/4 of Section 34, Township 19 South, Range 1 West, described as follows:

Commence at the SE corner of the SE 1/4 of Section 34 go South 89 deg. 21 min. 06 sec. West along the South boundary of said 1/4 1/4 Section for 1558.67 feet; thence North 19 deg. 41 min. 15 sec. West for 639.74 feet; thence North 73 deg. 37 min. 40 sec. East for 557.56 feet; thence South 75 deg. 51 min. 00 sec. East for 136.97 feet; thence South 71 deg. 17 min. 15 sec. East for 98.65 feet to the point of beginning of a 30.00 foot non-exclusive perpetual easement described as follows: Go South 71 deg. 17 min. 15 sec. East for 17.00 feet; thence North 64 deg. 35 min. 00 sec. East for 131.51 feet; thence North 60 deg. 15 min. 15 sec. East for 84.16 feet; thence North 59 deg. 36 min. 10 sec. East for 188.45 feet; thence North 63 deg. 49 min. 00 sec. East for 52.53 feet; thence North 54 deg. 02 min. East for 110.77 feet; thence North 45 deg. 00 min. 10 sec. East for 95.78 feet; thence North 31 deg. 39 min. 00 sec. East for 58.53 feet; thence North 22 deg. 21 min. 45 sec. East for 195.18 feet to a point on a curve to the right on the West boundary of Shelby County Highway No. 47, said curve having a central angle of 01 deg. 31 min. 58 sec. and a radius of 1392.92 feet; thence Southeasterly along said curve for 37.27 feet; thence South 22 deg. 21 min. 45 sec. West for 175.51 feet; thence South 31 deg. 39 min. 00 sec. West for 64.48 feet; thence South 45 deg. 00 min. 10 sec. West for 101.66 feet; thence South 54 deg. 02 min. 30 sec. West for 115.71 feet; thence South 63 deg. 49 min. 00 sec. West for 53.99 feet; thence South 59 deg. 36 min. 10 sec. West for 187.52 feet; thence South 60 deg. 15 min. 15 sec. West for 85.46 feet; thence South 64 deg. 35 min. 00 sec. West for 126.87 feet; thence North 71 deg. 17 min. 15 sec. West for 17.67 feet; thence North 35 deg. 34 min. 30 sec. West for 30.00 feet to the point of beginning of said easement; being situated in Shelby County, Alabama.

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