

THIS INSTRUMENT PREPARED BY:
James J. Odom, Jr.
P.O. Box 11244
Birmingham, AL 35202-1244

SEND TAX NOTICE TO:
Robert L. and Janet A. Kirkland
Post Office Box 212
Alabaster, AL 35007

STATE OF ALABAMA)

COUNTY OF SHELBY)

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS THAT in consideration of Ninety Thousand and No/100 Dollars (\$90,000.00) and other good and valuable consideration to Rhett G. Barnes, Sr., a married man, individually, and B. Wright, as Trustee of the Irrevocable Trust created by Rhett G. Barnes, Sr. under Indenture of Trust dated December 28, 1983 ("Grantor"), in hand paid by Robert L. Kirkland and Janet A. Kirkland ("Grantees"), the receipt whereof is hereby acknowledged, Grantors do by these presents, grant, bargain, sell and convey unto Grantees, as joint tenants with right of survivorship, the following described real estate, situated in Shelby County, Alabama, to-wit:

SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION.

SUBJECT TO: (1) Current taxes; (2) Title to minerals underlying caption lands with mining rights and privileges belonging thereto, as reserved in Deed Book 23, at Page 525, in the Office of the Judge of Probate of Shelby County, Alabama; (3) Transmission line permit to Alabama Power Company as recorded in Deed Book 126, at Page 292, in the Office of the Judge of Probate of Shelby County, Alabama; (4) Right of way to City of Pelham as recorded in Real Book 064, at page 312 in the Office of the Judge of Probate of Shelby County, Alabama; (5) Easement to South Central Bell as recorded in Real Book 119, at Page 870, in the Office of the Judge of Probate of Shelby County, Alabama.

\$80,000.00 of the purchase price recited above was paid from a mortgage loan closed simultaneously herewith.

This property does not constitute the homestead of either of the grantors herein.

TO HAVE AND TO HOLD to the 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 the Grantors do for themselves, their heirs and assigns, covenant with the Grantees, their heirs and assigns, that they are lawfully seized in fee simple of the premises; that the

Inst # 1996-14271

05/02/1996-14271
08:59 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
JCS 403 23.50

EXHIBIT A

A parcel of land situated in the SE 1/4 of the SE 1/4 of Section 24, Township 20 South, Range 3 West, Shelby County, Alabama, more particularly described as follows:

Commence at the SE corner of Section 24, Township 20 South, Range 3 West, Shelby County, Alabama; thence run North 2 degrees 28 minutes 59 seconds West for a distance of 1280.00 feet (map) to the point of beginning; thence continue along the last described course for a distance of 359.63 feet (map and measured); thence South 87 degrees 51 minutes 37 seconds West for a distance of 429.25 feet (map), 428.89 feet (measured), to a point on the Southeasterly right-of-way of McCain Parkway (60-foot right-of-way) and a point on a curve to the left having a central angle of 7 degrees 00 minutes 31 seconds and a radius of 1011.24 feet, said curve subtended by a chord bearing South 2 degrees 51 minutes 03 seconds West and a chord distance of 123.62 feet; thence along the arc of said curve and said right-of-way for a distance of 123.70 feet to the end of said curve; thence South 0 degrees 39 minutes 12 seconds East along said right-of-way for a distance of 236.66 feet (map), 238.76 feet (measured); thence North 87 degrees 34 minutes 37 seconds East and leaving said right-of-way for a distance of 448.45 feet (map), 447.99 feet (measured) to the point of beginning, being situated in Shelby County, Alabama.

premises are free from all encumbrances, unless otherwise noted above; that Grantors have a good right to sell and convey the same as aforesaid; that Grantors will, and their heirs and assigns shall, warrant and defend the same to the the Grantees, their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the undersigned have executed this conveyance on this the 29 day of April, 1996.

WITNESSES:

Rhett G. Barnes, Sr.
Rhett G. Barnes, Sr.

B. Wright
B. Wright, as Trustee of the Irrevocable Trust
created by Rhett G. Barnes, Sr. under Indenture
of Trust dated December 28, 1983

STATE OF ALABAMA)
COUNTY OF SHELBY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Rhett G. Barnes, Sr., 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 seal this 29 day of April, 1996.

Randall J. Wuthrow
Notary Public

My Commission Expires: 2/6/97 Inst # 1996-14271

STATE OF ALABAMA)
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003 MCD 23.50

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that B. Wright, whose name as Trustee of the Irrevocable Trust created by Rhett G. Barnes, Sr. under Indenture of Trust dated December 28, 1983, 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, in her capacity as such Trustee and with full authority, executed the same voluntarily for and as the act of said Irrevocable Trust created by Rhett G. Barnes, Sr. under Indenture of Trust dated December 28, 1983.

Given under my hand and seal this 29 day of April, 1996.

Randall J. Wuthrow
Notary Public

My Commission Expires: 2/6/99