

This Instrument Prepared By:
James F. Burford, III
Attorney at Law
Suite 200-A, 100 Vestavia Office Park
Birmingham, Alabama 35216

Send Tax Notice To:
Randall H. Goggans
1 Riverchase Office Plaza
Suite 124
Birmingham, AL 35244

WARRANTY DEED

STATE OF ALABAMA)

SHELBY COUNTY)

KNOW ALL MEN BY THESE PRESENTS: That in consideration of Twenty Thousand and No/100 Dollars (\$20,000.00), to the undersigned Grantor (whether one or more), in hand paid by the Grantee herein, the receipt whereof is acknowledged, we, JOHN ALLEN CHESSER and wife, BETTY S. CHESSER (herein referred to as Grantor, whether one or more), grant, bargain, sell and convey unto RANDALL H. GOGGANS (herein referred to as Grantee, whether one or more), in the following described real estate, situated in Shelby County, Alabama, to-wit:

SEE EXHIBIT "A" FOR LEGAL DESCRIPTION.

SUBJECT TO: (1) Taxes due in the year 1997 and thereafter; (2) Transmission Line Permit(s) to Alabama Power Company as shown by instrument(s) recorded in Deed Book 148, Page 12 and Deed Book 134, Page 123 in Probate Office; and (3) Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto, including rights set out in Deed Book 251, Page 11 in Probate Office.

Grantor represents and warrants that there are no unpaid assessments or fire dues owing any governmental or quasi-governmental authority.

Grantor acknowledges that Grantee intends to use the property conveyed herein as a public roadway. Grantor retains unto themselves, their heirs, successors and assigns, a nonexclusive perpetual easement over and across the property conveyed herein, said easement running with the land and being for ingress, egress and all utilities, however, it is expressly understood by Grantor, which understanding shall be binding on Grantor's heirs, successors and assigns, that in order to implement the use of the easement reserved herein, Grantor, their heirs, successors and assigns shall comply with the requirements of all governmental authorities and utility companies in order to use the easement reserved herein, and further, shall coordinate such use so as to be compatible with Grantee's use. Additionally, any damage to the said roadway occasioned by Grantor's exercise of his easement rights herein shall be paid for by Grantor, their heirs, successors and assigns. Grantor specifically confers upon Grantee, his heirs, successors and assigns, a durable power of attorney which agency is expressly non-revocable and coupled with an interest in order to execute any documents necessary in order to dedicate the roadway intended to be constructed upon the property conveyed herein to any appropriate governmental authority.

TO HAVE AND TO HOLD to the said Grantee, his heirs, successors and assigns forever.



And we do for ourselves and for our heirs, executors and administrators, covenant with said Grantee, his successors and assigns, that we are lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise stated 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 Grantee, his successors and assigns forever, against the lawful claims of all persons.

f:\pca\goggans\chesser.wd

03706/1997-06989
11:14 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 SNA 33.50

Inst # 1997-06989

IN WITNESS WHEREOF, the undersigned, JOHN ALLEN CHESSER and wife, BETTY S. CHESSER have hereunto set their hands and seals, this the 4 day of MARCH, 1997.


John Allen Chesser

Betty S. Chesser

STATE OF ALABAMA)
COUNTY OF SHELBY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that JOHN ALLEN CHESSER and wife, BETTY S. CHESSER, 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 foregoing conveyance they executed the same voluntarily on the day the same bears date.

Given under my hand and seal this 4 day of MARCH, 1997.


Notary Public
My Commission Expires: 3.1.98

EXHIBIT "A"

A parcel of land situated in the NE 1/4 of the NW 1/4 of Section 34, Township 19 South, Range 1 West, and being more particularly described as follows:
Commence at the SW corner of the NE 1/4 of the NW 1/4 of Section 34, Township 19 South, Range 1 West; thence South 00 deg. 04 min. 14 sec. East along the Westerly boundary of said 1/4 1/4 Section a distance of 616.22 feet; thence North 57 deg. 13 min. 39 sec. East a distance of 1247.95 feet to the point of beginning; thence continue along the last described course a distance of 75.66 feet; thence South 81 deg. 24 min. 20 sec. East a distance of 151.95 feet; thence South 71 deg. 30 min. 20 sec. East a distance of 37.96 feet to a point on the Northwestern right of way line of Shelby County Highway No. 39 (80 foot right of way); thence South 43 deg. 13 min. 31 sec. West along said right of way line a distance of 25.31 feet to a point on a curve to the left having a radius of 2891.61 feet and a central angle of 1 deg. 40 min. 55 sec.; thence along said right of way line and the arc of said curve a distance of 84.88 feet, said arc subtended by a chord which bears South 42 deg. 23 min. 04 sec. West a distance of 84.88 feet, to the end of said curve and a point on a curve to the left having a radius of 25.00 feet and a central angle of 102 deg. 40 min. 42 sec. , said curve being non-tangent to the last described curve; thence leaving said right of way line and along the arc of said curve a distance of 44.80 feet, said arc subtended by a chord which bears North 09 deg. 47 min. 44 sec. West a distance of 39.04 feet to a compound a curve to the left having a radius of 175.00 feet and a central angle of 20 deg. 16 min. 14 sec.; thence along the arc of said curve a distance of 61.91 feet; said arc subtended by a chord which bears North 71 deg. 16 min. 12 sec. West a distance of 61.59 feet to the end of said curve; thence North 81 deg. 24 min. 20 sec. West a distance of 111.60 feet to the point of beginning; being situated in Shelby County, Alabama.

Inst # 1997-06989

03/06/1997-06989
11:14 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 SMA 33.50