

THIS INSTRUMENT PREPARED BY:
WEATHINGTON & ASSOCIATES, P.C.
819 Parkway Drive, S.E.
Leeds, Alabama 35094

552-17

Send Tax Notice To:
Frankie K. Joiner
1505 Dunnivant Road
Leeds, AL

CORPORATION FORM WARRANTY DEED,
JOINTLY FOR LIFE WITH REMAINDER TO SURVIVOR

STATE OF ALABAMA
SHELBY COUNTY

KNOW ALL MEN BY THESE PRESENTS, That in consideration of TWENTY FIVE THOUSAND AND NO/100 (\$25,000.00) DOLLARS to the undersigned Grantor, BIRMINGHAM REALTY COMPANY, a corporation, (herein referred to as Grantor), in hand paid by the GRANTEES herein, the receipt of which is hereby acknowledged, the said Grantor does by these presents, grant, bargain, sell and convey unto FRANKIE K. JOINER AND KATHY A. JOINER (herein referred to as GRANTEES) for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, together with every contingent remainder and right of reversion, the following described real estate, situated in Shelby County, Alabama, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR COMPLETE LEGAL DESCRIPTION.

SUBJECT TO: 1. Right of ways granted to Alabama Power Company by instruments recorded in Deed Book 138 page 326; Deed Book 138 page 327; Deed Book 103 page 471; Deed Book 103 page 471 and Deed Book 138 page 459 in Probate Office.
2. Right of ways granted to Shelby County by instruments recorded in Probate Minute Book 23 page 265; Deed Book 158 page 422; Deed Book 158 page 423 and Deed Book 167 page 244 in Probate Office.
3. Riparian rights in and to Shoal Creek.
4. Railroad right of way as recorded in Deed Book 8 page 561 in Probate Office.

\$15,000.00 of the above consideration was paid by mortgage loan closed simultaneously herewith.

TO HAVE AND TO HOLD to the said GRANTEES for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, and to the heirs and assigns of such survivor forever, together with every contingent remainder and right of reversion. And said Grantor does for itself, its successors and assigns, covenant with said GRANTEES, their heirs and assigns, that it is lawfully seized in fee simple of said premises, that they are free from all encumbrances, that it has a good right to sell and convey the same as aforesaid, and that it will and its successors and assigns shall warrant and defend the same to the said GRANTEES, their heirs, executors and assigns forever, against the lawful claims of all persons.

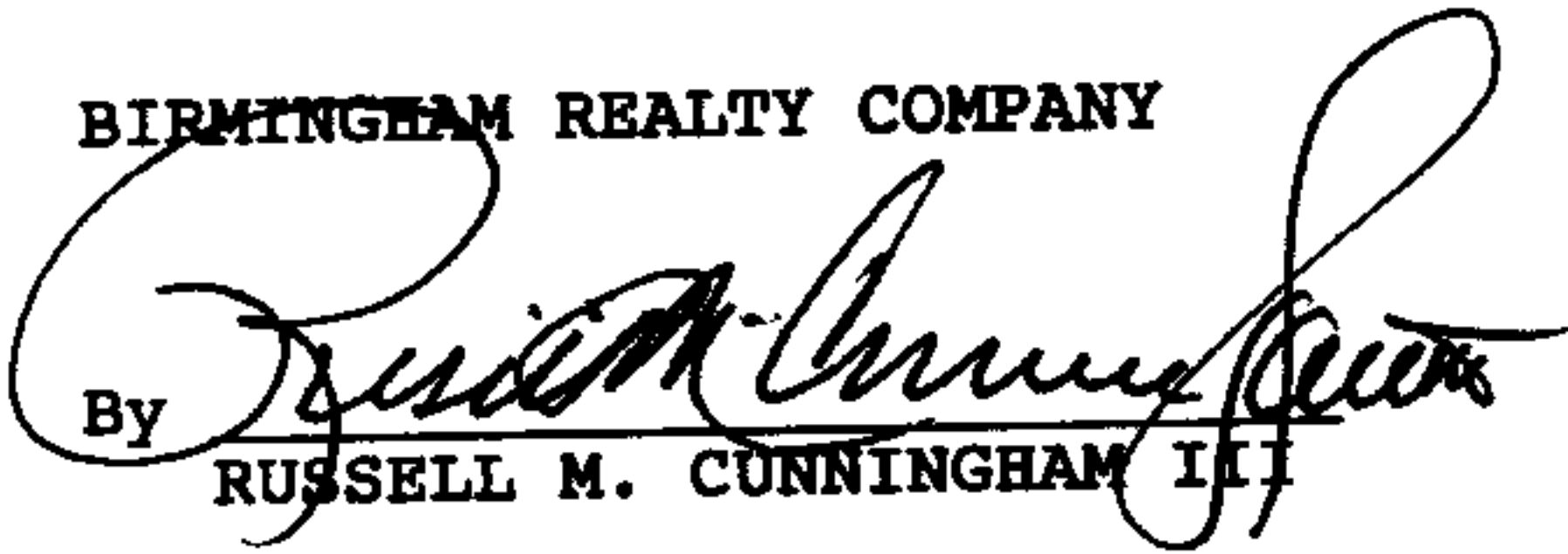
04/24/1997-12710
10:49 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 NC3 23.30

Inst # 1997-12710

IN WITNESS WHEREOF, the said Grantor, by its President, RUSSELL M. CUNNINGHAM, III, who is authorized to execute this conveyance, has hereto set its signature and seal this the 16th day of April, 1997

BIRMINGHAM REALTY COMPANY

By


RUSSELL M. CUNNINGHAM III

STATE OF ALABAMA
JEFFERSON COUNTY

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that RUSSELL M. CUNNINGHAM, III, whose name as PRESIDENT of BIRMINGHAM REALTY COMPANY, a corporation, 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, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this 16th day of April, 1997.


Notary Public

My Commission Expires:

4-23-2000

EXHIBIT "A"

A parcel of land situated in the SE 1/4 of Section 4, Township 18 South, Range 1 East, described as follows: Commence at the NW corner of the NW 1/4 of the SE 1/4 of Section 4 go South 13 deg. 36 min. 45 sec. East for 412.34 feet to an existing iron pin; thence South 00 deg. 24 min. 50 sec. West for 797.24 feet to an existing iron pin on the North boundary of the Norfolk Southern Railway; thence South 54 deg. 05 min. 05 sec. East along the North boundary of said railway for 299.03 feet to an existing iron pin on the North boundary of Alabama Highway No. 25, said iron pin being on a curve to the right, having a central angle of 71 deg. 30 min. 01 sec. and a radius of 150.43 feet; thence Southeasterly along said curve and said North boundary for 187.72 feet to the point of Tangent, and the point of beginning; thence North 64 deg. 47 min. 41 sec. East for 1323.78 feet to the center line of Shoal Creek; thence six courses (6) along said centerline as follows:
go South 29 deg. 03 min. 47 sec. East for 136.75 feet; thence South 7 deg. 30 min. 27 sec. West for 58.88 feet; thence South 35 deg. 58 min. 27 sec. West for 330.93 feet; thence South 10 deg. 23 min. 52 sec. West for 133.49 feet; thence South 3 deg. 02 min. 04 sec. West for 277.46 feet; thence South 37 deg. 58 min. 22 sec. West for 328.80 feet to the point of intersection of the centerline of Shoal Creek and the Northerly boundary of Highway 25; thence North 56 deg. 12 min. 10 sec. West along the Northerly boundary of said Highway for 988.13 feet to the point of beginning; being situated in Shelby County, Alabama.

ALSO, including that parcel of land lying between the Easterly boundary of the Norfolk Southern Railway and the Westerly boundary of Shelby County Highway 25 situated in the SW 1/4 of the SE 1/4 of Section 4, Township 18 South, Range 1 East, described as follows: Commence at the NE corner of the SW 1/4 of the SE 1/4 of Section 4, go South 00 deg. 36 min. 09 sec. West along the East boundary of said 1/4 1/4 Section for 653.72 feet to the Westerly boundary of Shelby County Highway No. 25 and the point of beginning; thence continue South 00 deg. 36 min. 09 sec. West along the East boundary of said 1/4 1/4 Section for 37.01 feet to the Easterly boundary of Norfolk Southern Railway; thence North 54 deg. 05 min. 05 sec. West along the Easterly boundary of said Railway for 235.21 feet; thence South 35 deg. 54 min. 55 sec. West along the Easterly boundary of said Railway for 35.00 feet; thence North 54 deg. 05 min. 05 sec. West along the Easterly boundary of said Railway for 857.06 feet to the point of intersection of the Westerly boundary of Highway No. 25 and the Easterly boundary of Norfolk Southern Railway, said point of intersection being a point on a curve to the right having a central angle of 50 deg. 46 min. 25 sec. and a radius of 70.43 feet; thence Easterly along said curve for 62.41 feet to the point of Tangent; thence South 56 deg. 12 min. 10 sec. East along the Westerly boundary of Shelby County Highway No. 25 for 1017.84 feet to the point of beginning; being situated in Shelby County, Alabama.

LESS AND-EXCEPT: One lot of land lying South of Shoal Creek in the SW 1/4 of the SE 1/4 of Section 4, Township 18 South, Range 1 East, except the right of way of the Railroad, that is owned by the Central of Georgia Railway Company, situated in Shelby County, Alabama.

Inst # 1997-12710

**04/24/1997-12710
10:49 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 HCB 23.50**