

THIS INSTRUMENT PREPARED BY:

James J. Odom, Jr.
P.O. Box 11244
Birmingham, AL 35202-1244

SEND TAX NOTICE TO:

Edwin B. Lumpkin, Jr.
730 RE STREET NORTH
BESSEMER AL 35020

STATE OF ALABAMA)
COUNTY OF SHELBY)

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS THAT in consideration of Eighty Three Thousand Four Hundred Ninety Three and No/100 Dollars (\$83,493.00) to the undersigned grantor, **WINDY OAKS**, an Alabama Partnership composed of Shelby Homes, Inc. and Roy Martin Construction, Inc. (hereinafter referred to as "Grantor"), in hand paid by Edwin B. Lumpkin, Jr. (hereinafter referred to as "Grantee"), the receipt and sufficiency whereof are hereby acknowledged, Grantor does by these presents, grant, bargain, sell and convey unto Grantee 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) Transmission Line Permit(s) to Alabama Power Company as shown by instrument(s) recorded in Deed Book 101, Page 97; Deed Book 127, Page 302; Deed Book 103, Page 486; and Deed Book 165, Page 122, in the Probate Office of Shelby County, Alabama; (3) Right(s)-of-Way(s) granted to Shelby County by instrument(s) recorded in Deed Book 244, Page 129, in the Probate Office of Shelby County, Alabama; (4) Right(s)-of-Way(s) and rights in connection therewith granted to Louisville & Nashville Railroad by instrument(s) recorded in Deed Book 61, Page 373, in the Probate Office of Shelby County, Alabama; (5) Reservations, conditions and provisions pertaining to said premises as recorded in Deed Book 273, Page 870, in the Probate Office of Shelby County, Alabama; (6) Rights of others to any portion lying within road, road right of way or easement for road; (7) Rights of others to use access easement described in legal description.

Purchaser acknowledges being informed by Seller or First that sinkholes are prevalent in Shelby and Jefferson Counties. Buying sinkhole insurance or seeking the advice of an engineer should be considered. Purchaser acknowledges and agrees that Seller is not responsible for underground mines, sinkholes, drainage, limestone formation, soil conditions, or any other surface or subsurface conditions, whether known or unknown, that may exist or occur under or adjacent to the Property and which may cause damage to persons or structures. Moreover, **NO WARRANTY OR REPRESENTATION RESPECTING THE SOIL CONDITION OR ANY SUBSURFACE FAULT OR DEFECT, OR ANY OTHER CONDITION OF THE LAND OR IMPROVEMENTS, IS MADE.**

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

And Grantor does for itself, its successors and assigns, covenant with the Grantee, his heirs and assigns, that it is lawfully seized in fee simple of the premises; that the premises are free from all encumbrances, except as noted above; that it has a good right to sell and convey the premises as aforesaid; that it will, and its successors and assigns shall, warrant and defend the same to the Grantee, his heirs and assigns forever, against the lawful claims of all persons.

Inst. 1997-14284
05/07/1997-14284
01:32 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 SWA 97.00

IN WITNESS WHEREOF, the undersigned has caused this instrument to be executed on this the 24th day of April, 1997.

WITNESS:

WINDY OAKS, an Alabama Partnership

By: SHELBY HOMES, INC.
(PARTNER)

By: _____

As its _____

By: ROY MARTIN CONSTRUCTION, INC.
(PARTNER)

By: _____

Roy D. Martin
As its President

STATE OF ALABAMA)
COUNTY OF SHELBY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that J. W. PALMER, whose name as Vice President of Shelby Homes, Inc., a corporation, as Partner of Windy Oaks, an Alabama Partnership, 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, acting in its capacity as Partner as aforesaid.

Given under my hand and official seal, this the 24th day of April, 1997.

Lorine S. Contell
Notary Public

My commission expires: 6-21-97

STATE OF ALABAMA)
COUNTY OF SHELBY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Roy L. Martin, whose name as President of Roy Martin Construction, Inc., a corporation, as Partner of Windy Oaks, an Alabama Partnership, 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, acting in its capacity as Partner as aforesaid.

Given under my hand and official seal, this the 24th day of April, 1997.

Lorine S. Contell
Notary Public

My commission expires: 6-21-97

Exhibit A

A parcel of land situated in the NW 1/4 of the NW 1/4 of Section 20, Township 21 South, Range 2 West, Shelby County, Alabama and being more particularly described as follows:

Parcel 10:

Commence at the NW corner of Section 20, Township 21 South, Range 2 West; thence S 83 degrees, 40 minutes, 34 seconds E a distance of 1.79' to the northeasterly right-of-way of Louisville and Nashville Railroad (R.O.W. varies); thence S 22 degrees, 54 minutes, 48 seconds E along said right-of-way a distance of 267.86 feet; thence S 67 degrees, 00 minutes, 47 seconds W along said right-of-way a distance of 50.07 feet (meas), 50.00 feet (map); thence S 22 degrees, 51 minutes, 11 seconds E along said right-of-way a distance of 181.60 feet to the Point of Beginning; thence continue along last described course a distance of 182.80 feet; thence N 67 degrees, 05 minutes, 12 seconds E a distance of 449.43 feet; thence N 18 degrees, 16 minutes, 40 seconds W a distance of 183.40 feet; thence S 67 degrees, 05 minutes, 12 seconds W a distance of 464.06 feet to the Point of Beginning.

60' INGRESS/EGRESS, DRAINAGE AND UTILITY EASEMENT:

Commence at the NW corner of Section 20, Township 21 South, Range 2 West; thence N 1 degree, 01 minutes, 18 seconds E a distance of 214.04 feet to the southerly right of way line of Shelby County Highway No. 87 (80' RDW); thence N 64 degrees, 05 minutes, 17 seconds E along said right of way line a distance 290.40 feet to the POINT OF BEGINNING of a 60 feet wide easement for ingress/egress, drainage and utilities; thence S 26 degrees, 11 minutes, 11 seconds E a distance of 382.26 feet to the beginning of a curve to the right having a radius of 970.00 feet and a central angle of 7 degrees, 54 minutes, 31 seconds; thence along the arc of said curve a distance of 133.89 feet, said arc subtended by a chord which bears S 22 degrees, 13 minutes, 55 seconds E a distance of 133.78 feet, to the end of said curve; thence S 18 degrees, 16 minutes, 40 seconds E a distance of 234.51 feet, to a point on a curve to the left having a radius of 80.00 feet and a central angle of 232 degrees, 30 minutes, 31 seconds; thence along the arc of said curve, a distance of 324.64 feet; said arc subtended by a chord which bears S 66 degrees, 33 minutes, 23 seconds E a distance of 143.49 feet to the end of said curve; thence N 47 degrees, 44 minutes, 34 seconds W a distance of 79.14 feet; thence N 17 degrees, 08 minutes, 30 seconds W a distance of 22.50 feet to a point on a curve to the left having a radius of 80.00 feet and a central angle of 6 degrees, 50 minutes, 30 seconds; thence along the arc of said curve a distance of 9.55 feet; said arc subtended by a chord which bears N 82 degrees, 49 minutes, 56 seconds W a distance of 9.55 feet; to the end of said curve; thence N 18 degrees, 16 minutes, 40 seconds W a distance of 234.51 feet to the beginning of a curve to the left having a radius of 1030.00 feet and a central angle of 7 degrees, 54 minutes, 31 seconds; thence along the arc of said curve a distance of 142.17 feet, said arc subtended by a chord which bears N 22 degrees, 13 minutes, 55 seconds W a distance of 142.06 feet, to end of said curve; thence N 26 degrees, 11 minutes, 11 seconds W a distance of 382.26 feet to the southerly right of way line of said Shelby County Highway # 87; thence S 64 degrees, 05 minutes, 17 seconds W and along said right of way line a distance of 60.00 feet to the Point of Beginning.

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