

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

SEND TAX NOTICE TO:
Conrad W. Rafield, III
18 Montcrest Drive
Birmingham, AL 35223

STATE OF ALABAMA)
COUNTY OF SHELBY)

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS THAT in consideration of One Million Two Hundred Thousand and No/100 (\$1,200,000.00) Dollars and other good and valuable consideration, to the undersigned grantors, Thomas N. Tyrrell and wife, Diane M. Tyrrell, in hand paid by Conrad W. Rafield, III and Peggy C. Rafield, the receipt whereof is hereby acknowledged, the said Thomas N. Tyrrell and wife, Diane M. Tyrrell (referred to herein as "Grantors"), do by these presents, grant, bargain, sell and convey unto the said Conrad W. Rafield, III and Peggy C. Rafield (herein referred to as "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) Right-of-way granted The Water Works Board of the City of Birmingham recorded in Real Volume 69, Page 438; (3) Restrictions appearing of record in Real Volume 375, Page 908; (4) Right-of-way granted The Water Works Board of the City of Birmingham recorded in Real Volume 69, Page 438; (5) Right-of-way granted Alabama Power Company recorded in Deed Book 222, Page 688; (6) Riparian and other rights created by the fact that subject property lies adjacent to or is bounded by Lake Wehapa; (7) Restrictions and limitations as to the use of subject property as set out in Deed Book 214, Page 463; (8) Easement granted Alabama Power Company recorded in Deed Book 220, Page 826; (9) Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto as recorded in Deed Book 188, Page 330; (10) Any easement for public or private road across any part of subject property.

\$ 880,000.00 of the purchase price recited above was paid from a mortgage loan closed simultaneously herewith.

TO HAVE AND TO HOLD to the said 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.

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And said Grantors do for themselves, their heirs and assigns, covenant with said Grantees, their heirs and assigns, that they are lawfully seized in fee simple of said premises; that the premises are free from all encumbrances, unless otherwise noted above; that they have a good right to sell and convey the same as aforesaid; that they will, and their heirs 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.

IN WITNESS WHEREOF, the undersigned have executed this conveyance on this the

16th day of July, 1997.

WITNESSES:

[Signature]
[Signature]

[Signature]
Thomas N. Tyrrell
[Signature]
Diane M. Tyrrell

STATE OF PENNSYLVANIA)
COUNTY OF Cambria)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Thomas N. Tyrrell, 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 11th day of July, 1997.

[Signature]



My Commission Expires:

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Diane M. Tyrrell, a married woman, 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, she executed the same voluntarily on the day the same bears date.

Given under my hand and seal this 14th day of July, 1997.

[Signature]
Notary Public

My Commission Expires: 5-23-99

EXHIBIT "A"

A Parcel of land situated in the Southeast 1/4 of the Southwest 1/4 of Section 8 and the Northeast 1/4 of the Northwest 1/4 of Section 17 all in Township 18 South, Range 1 East, Huntsville Meridian, Shelby County, Alabama, and being more particularly described as follows:

Commence at the Northeast corner of the Northeast 1/4 of the Northwest 1/4 of said Section 17; thence in a Westerly direction, along and with the North Line of said 1/4 - 1/4 section, 321.15 feet to a point; thence with a deflection of 42 degrees 56' 30" left, leaving said North line, 137.01 feet to an iron pin on the margin of a private road, the point of beginning and the beginning of a curve to the left, said curve having a central angle of 67 degrees 09' and a radius of 125.46 feet; thence along and with margin of said private road and the arc said curve 147.04 feet to an iron pin; thence tangent to said curve and along and with said margin of said private road, 136.30 feet to an iron pin and the beginning of a curve to the right, said curve having a central angle of 57 degrees 27' and a radius of 75.32 feet; thence along and with the margin of said private road and the arc of said curve 75.52 feet to an iron pin; thence tangent to said curve and along and with the margin of said private road 55.54 feet to an iron pin and the beginning of a curve to the right, said curve having a central angle of 9 degrees 18' 30" and a radius of 594.18 feet; thence along and with the margin of said road and the arc of said curve, 96.53 feet to an iron pin; thence tangent to said curve and along and with the margin of said private road 62.99 feet to a nail and cap; thence with a deflection of 106 degrees 54' 45" right, leaving said private road, 275.33 feet to an iron pin and the beginning of a curve to the left, said curve having a central angle of 87 degrees 15' 15" and a radius of 84.91 feet; thence along and with the arc of said curve 129.31 feet to an iron pin; thence tangent to said curve 18.5 feet, more or less to the edge of Wehapa Lake as situated on October 8, 1994; thence in a Northerly, Easterly, Southerly, and Easterly direction, along and with the margin of Wehapa Lake 950 feet, more or less to the point of beginning.

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