

STATE OF ALABAMA)

SHELBY COUNTY)

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED is made this 24 day of Aug, 1997 by CAHABA VENTURE, an Alabama General partnership, whose partners are DONALD N. GUTHRIE, SAMUEL R. FLOWERS and D. FRANK DAVIS, hereinafter called Grantor, to DONALD N. GUTHRIE, hereinafter known as Grantee. The subject property is not now, nor has ever been, the homestead of the Grantor. . . .

Witness that Grantor, for **One and 00/100 Dollars (\$1.00)** and other good and valuable consideration, including assumption of the mortgage referenced below, receipt of which is acknowledged, grants, bargains, and sells to Grantee a **one-third (1/3) undivided interest** in the real property located in Shelby County, Alabama, more particularly described in **Exhibit "A"** attached hereto and made a part hereof.

This conveyance is subject to that certain First Mortgage and Security Agreement between Cahaba Venture and Jefferson Federal Savings and Loan Association dated the ____ day of _____ 19____, and recorded in the Office of the Judge of Probate, Shelby County, Alabama at _____, page _____, and any subsequent assignments thereof.

This conveyance is subject to matters which a current survey would show, current real property taxes, zoning and other governmental restrictions, and all covenants, conditions, restrictions, easements, right-of-way(s) and other matters of record.

This conveyance is subject to any mineral, mining, or oil or gas, rights and titles previously conveyed and of record, if any, and any reservations contained therein, if any.

To have and to hold, all and singular, the premises aforementioned unto said Grantee, its successors and assigns, forever.

Grantor hereby covenants with Grantee that Grantor will forever defend Grantee against claims of all persons claiming by, through or under Grantor. No other covenants or warranties, express or implied, are given by this Special Warranty Deed.

This deed and other instruments executed simultaneously herewith are in redemption of Donald N. Guthrie's rights, title and interest in Cahaba Venture. After execution of all such instruments, Donald N. Guthrie will cease to be a partner of Cahaba Venture and Samuel R. Flowers and D. Frank Davis will thereafter be the sole general partners of Cahaba Venture.

IN WITNESS WHEREOF, Grantor has set its hand and seal the day and year first above written.

GRANTOR:

Cahaba Venture, By:


Donald N. Guthrie, General Partner


Samuel R. Flowers, General Partner


D. Frank Davis, General Partner

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ACKNOWLEDGMENT

STATE OF ALABAMA)
JEFFERSON COUNTY)

Before me, Christina Johnson, a Notary Public for said County, in said State, personally appeared DONALD N. GUTHRIE, SAMUEL R. FLOWERS, and D. FRANK DAVIS, as the General Partners of Cahaba Venture, an Alabama General Partnership, 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 conveyance they voluntarily executed same in their capacity as General Partners on this the day the same bears date.

I, Give under my hand and seal this the 26th day of August 19 97.

Christina Johnson
NOTARY PUBLIC

My commission Expires

MY COMMISSION EXPIRES AUGUST 30, 1999

EXHIBIT "A"

PARCEL I

Commence at the Southwest corner of said Section 24, Township 20 South, Range 3 West, Shelby County, Alabama; thence Easterly along the South line of said Section a distance of 974.97 feet to the intersection of said South Section line and the Easterly right-of-way of U.S. Highway 31, thence 106 degrees 54 minutes 35 seconds left and along and with said Easterly right-of-way a distance of 863.29 feet to an iron pin found; thence 00 degrees 24 minutes 33 seconds left and along and with said Easterly right-of-way a distance of 10.62 feet to the point of beginning; thence 00 degrees 24 minutes 33 seconds right and along and with said Easterly right-of-way a distance of 49.00 feet to the point of curvature of a curve to the right, said curve having a radius of 1,110.67 feet and a central angle of 5 degrees 12 minutes 35 seconds thence along the arc of said curve and Easterly right-of-way a distance of 100.99 feet; thence 102 degrees 10 minutes 38 seconds right from the tangent to the preceding curve and leaving the Easterly right-of-way of U.S. Highway 31 a distance of 361.50 feet; thence 73 degrees 04 minutes 17 seconds right a distance of 150.00; thence 106 degrees 47 minutes 30 seconds right a distance of 364.78 feet to the point of beginning; said parcel containing 1.205 acres, more or less.

Less and except the following:

Commence at the Southwest corner of said Section 24; thence Easterly along the South line of said Section a distance of 974.97 feet to the intersection of said South Section line and the Easterly right-of-way of U.S. Highway 31, thence 106 degrees 54 minutes 35 seconds left and along and with said Easterly right-of-way a distance of 863.29 feet to an iron pin found; thence 00 degrees 24 minutes 33 seconds left and along and with said Easterly right-of-way a distance of 10.62 feet to the point of beginning. Thence 00 degrees 24 minutes 33 seconds right and along and with said Easterly right-of-way a distance of 49.00 feet to the point of curvature of a curve to the right, said curve having a radius of 1,110.67 feet and a central angle of 2 degrees 38 minutes 24 seconds, thence along the arc of said curve and Easterly right-of-way a distance of 51.18 feet; thence 104 degrees 36 minutes 36 seconds right from the tangent to the preceding curve and leaving the Easterly right-of-way of U.S. Highway 31 a distance of 103.58 feet; thence 90 degrees 00 minutes 00 seconds right a distance of 96.00 feet; thence 90 degrees 00 minutes 00 seconds right a distance of 75.00 feet to the point of beginning; said parcel containing 0.455 acres, more or less.

PARCEL II

Commence at the Southwest corner of said Section 24; thence Easterly along the South line of said Section a distance of 974.97 feet to the intersection of said South Section line and the Easterly right-of-way of U.S. Highway 31, thence 106 degrees 54 minutes 35 seconds left and along and with said Easterly right-of-way a distance of 863.29 feet to an iron pin found and the point of beginning; thence 00 degrees 24 minutes 33 seconds left and along and with said Easterly right-of-way a distance of 10.62 feet; thence 107 degrees 15 minutes 00 seconds right and leaving said Easterly right-of-way a distance of 364.78 feet; thence 73 degrees 12 minutes 30 seconds right a distance of 10.57 feet; thence 106 degrees 47 minutes 30 seconds right a distance of 364.61 feet to the point of beginning, said parcel containing 0.085 acres, more or less.

Less and except the following:

Commence at the Southwest corner of said Section 24; thence Easterly along the South line of said Section a distance of 974.97 feet to the intersection of said South Section line and the Easterly right-of-way of U.S. Highway 31, thence 106 degrees 54 minutes 35 seconds left and along and with said Easterly right-of-way a distance of 863.29 feet to an iron pin found and the point of beginning; Thence 00 degrees 24 minutes 33 seconds left and along and with said Easterly right-of-way a distance of 10.62 feet; thence 107 degrees 15 minutes 00 seconds right and leaving said Easterly right-of-way a distance of 75.00 feet; thence 90 degrees 00 minutes 00 seconds right a distance of 10.12 feet; thence 90 degrees 00 minutes 00 seconds right a distance of 71.78 feet to the point of beginning, said parcel containing 0.017 acres, more or less.

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