

WARRANTY DEED, JOINT WITH RIGHT OF SURVIVORSHIP

Send Tax Notice To: Jessica M. Dietrich and
Jerry E. Nessler

STATE OF ALABAMA)
SHELBY COUNTY)

3363 Highway 31 South
Pelham, Alabama 35124

Inst # 1997-31796

KNOW ALL MEN BY THESE PRESENTS: That for and in consideration of the sum of ONE HUNDRED FIFTY THOUSAND AND 00/100 (\$ 150,000.00) DOLLARS to the undersigned Grantor, in hand paid by the Grantees herein, the receipt whereof is hereby acknowledged, I, SHERMAN HOLLAND, JR., A MARRIED MAN, herein referred to as Grantor, do grant, bargain, sell and convey unto JESSICA M. DIETRICH AND JERRY E. NESSELER, herein referred to as Grantees, as joint tenants, with right of survivorship, the following described real estate situated in Shelby County, Alabama, to-wit:

A tract of land located in the NW 1/4 of Section 25, Township 20 South, Range 3 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the NW Corner of the NE 1/4 of the NW 1/4 of said Section 25; thence run East along the North line 66.0 feet; thence right 76 degrees 29 minutes, more or less, and run Southeasterly a distance of 211.0 feet; thence turn right 106 degrees 32 minutes 40 seconds a distance of 133.17 feet to the Point Of Beginning; thence continue along last described course a distance of 235.99 feet to the Westerly Right-of-Way line of U. S. Highway 31; thence turn left 107 degrees 31 minutes 07 seconds and run in a Southeasterly direction along the Westerly line of said Right-of-Way a distance of 115.40 feet; thence left 72 degrees 56 minutes 30 seconds and run Easterly for a distance of 200.00 feet; thence left 88 degrees 52 minutes 28 seconds a distance of 108.44 feet.

Subject to: 1. Any prior reservation or conveyance, together with release of damages of minerals of every kind and character, including, but not limited to gas, oil, sand and gravel in, on and under subject property. However, the minerals within and under the subject property are hereby conveyed to the extent owned, if owned. 2. General and special taxes or assessments for the year 1998 and subsequent years not yet due and payable. 3. Transmission line permits to Alabama Power Company recorded in Deed Book 102, Page 204 and Deed Book 170, Page 245. 4. Right of Way to Shelby County, recorded in Deed Book 167, Page 357. 5. Easement for ingress and egress as recorded in Deed Book 248, Page 603 and Deed Book 218, Page 255.

\$ 140,000.00 of the consideration recited herein is being paid by the execution of a purchase money mortgage of even date herewith.

THE ABOVE DESCRIBED REAL PROPERTY IS NOT NOW, NOR HAS IT EVER BEEN THE HOMESTEAD PROPERTY OF THE GRANTOR, HIS SPOUSE OR ANY MEMBER OF HIS FAMILY.

TO HAVE AND TO HOLD Unto 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

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other, then the heirs and assigns of the Grantees herein shall take as tenants in common.

And I do for myself and for my heirs, executors and administrators covenant with the Grantees, their heirs and assigns, that I am lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that I have a good right to sell and convey the same as aforesaid; that I will and my heirs, executors and administrators shall warrant and defend the same to the said Grantees, their heirs and assigns forever, against the lawful claims of all persons.

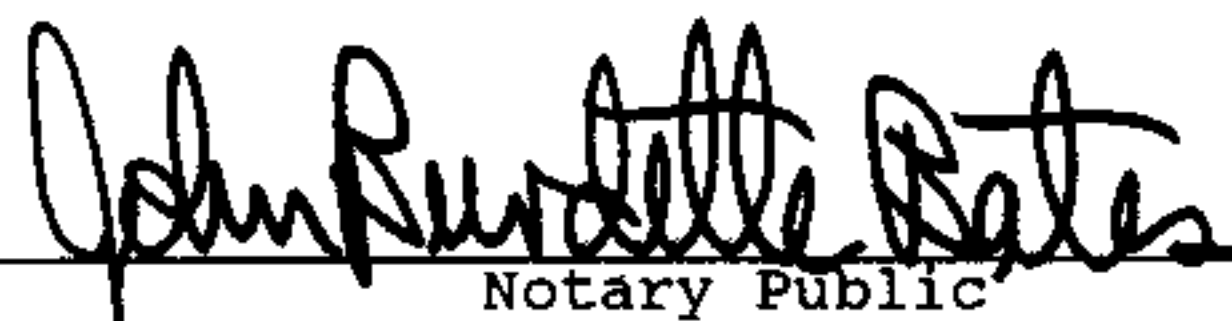
IN WITNESS WHEREOF, I have hereunto set my hand and seal, this 1st day of October, 1997.

 (SEAL)
Sherman Holland, Jr.

STATE OF ALABAMA)
)
SHELBY COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Sherman Holland, Jr., 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 official seal this 1st day of October, 1997.


Notary Public

This instrument was prepared by:
John Burdette Bates, Attorney at Law
#10 Office Park Circle, Suite 122
Birmingham, Alabama 35223

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