

This Instrument Prepared By:  
James F. Burford, III  
Attorney at Law  
1318 Alford Avenue Suite 101  
Birmingham, Alabama 35226

Send Tax Notice To:

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WARRANTY DEED

STATE OF ALABAMA )

SHELBY COUNTY )

Inst # 1997-40816

**KNOW ALL MEN BY THESE PRESENTS:** That in consideration of EIGHTY SEVEN THOUSAND SIX HUNDRED THIRTY ONE and NINE HUNDREDTHS Dollars (\$87,631.09), to the undersigned Grantor (whether one or more), in hand paid by the Grantee herein, the receipt whereof is acknowledged, I, L. DOUGLAS JOSEPH, a married man (herein referred to as Grantor, whether one or more), grant, bargain, sell and convey unto ANTHONY JOSEPH (herein referred to as Grantee, whether one or more), the following described real estate, situated in Shelby County, Alabama, to-wit:

Described on Exhibit A attached hereto and incorporated by reference herein.

**SUBJECT TO:** (1) Taxes due in the year 1998 and thereafter; (2) Memorandum of Oil and Gas Lease to Atlantic Richfield as shown by instrument recorded in Deed Book 324, Page 381 in Probate Office; (3) Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto, including rights set out in Real 98, Page 776 and Real 797 in Probate Office; (4) Grants and Reservations of access easements as set out in Real 84, Page 797; 98 Page 776; Real 234, Page 478; Real 211, Pages 561 and 563 and in Instrument No. 1996-33161 in Probate Office and rights of others to use the easements set out in Exhibit A; (5) Easement to L & N Railroad as shown by instrument recorded in Deed Book 22, Page 46 in the Probate Office.

Grantor reserves unto himself, his heirs, successors and assigns, a non-exclusive perpetual easement, running with the land for vehicular and pedestrian ingress, egress, utilities and drainage over, across and under the Northwesterly 60 feet of the property conveyed herein.

The property conveyed herein is not the homestead of the Grantor or his spouse.

~~The entire consideration recited herein was derived from a mortgage loan closed simultaneously herewith.~~

**TO HAVE AND TO HOLD** to the said Grantee, its successors and assigns forever.

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

IN WITNESS WHEREOF, the undersigned has hereunto set his  
hand and seal, this the 9 day of DECEMBER, 1997.

L. Douglas Joseph  
L. DOUGLAS JOSEPH

STATE OF ALABAMA )

STURBY  
JEFFERSON COUNTY )

I, the undersigned, a Notary Public in and for said County  
in said State, hereby certify that L. DOUGLAS JOSEPH, whose name  
is signed to the foregoing instrument, and who is known to me,  
acknowledged before me on this day, that being informed of the  
contents of the foregoing instrument he executed the same  
voluntarily on the day the same bears date.

Given under my hand and seal this 9 day of DECEMBER,  
1997.

[Signature]  
Notary Public  
My Commission Expires: 3.1.98

EXHIBIT 'A' DOUG JOSEPH TO ANTHONY JOSEPH

Commence at a 4 x 4 concrete monument in place accepted as the Southeast corner of the NE 1/4 of the SW 1/4 of Section 10, Township 20 South, Range 1 West, Shelby County, Alabama; thence proceed North 00 deg. 59 min. 41 sec. East along the East boundary of said 1/4 1/4 Section for a distance of 299.95 feet to a rebar in place; thence proceed North 01 deg. 19 min. 48 sec. East along the East boundary of said 1/4 1/4 Section for a distance of 250.33 feet to the point of beginning; from this beginning point proceed North 68 deg. 50 min. 17 sec. West for a distance of 2104.60 feet to a point on the Northerly boundary of a 60 foot roadway easement for ingress and egress; thence proceed North 62 deg. 17 min. 00 sec. East along the Northerly boundary of said easement for a distance of 272.19 feet to the P. C. of a concave curve right having a delta angle of 21 deg. 38 min. 16 sec. and a tangent of 70.71 feet; thence proceed Northeasterly along the curvature of said curve for a distance of 138.90 feet to the P. T. of said curve; thence proceed North 40 deg. 38 min. 44 sec. East along the Northerly boundary of said easement for a distance of 269.56 feet; thence proceed North 53 deg. 43 min. 15 sec. East along the Northerly boundary of said easement for a distance of 194.56 feet to its point of intersection with the East boundary of the SW 1/4 of the NW 1/4 of said Section; thence proceed South 02 deg. 42 min. 39 sec. West along the East boundary of said 1/4 1/4 Section for a distance of 508.30 feet; thence proceed South 88 deg. 40 min. 23 sec. East for a distance of 1322.54 feet to a 4 x 4 concrete monument in place; thence proceed South 01 deg. 19 min. 48 sec. West for a distance of 754.40 feet to the point of beginning; being situated in Shelby County, Alabama.

The above described land is located in the NW 1/4 of the SW 1/4; the SW 1/4 of the NW 1/4 and the NE 1/4 of the SW 1/4 of Section 10, Township 20 South, Range 1 West, Shelby County, Alabama.

Together with the right to use the following described non-exclusive easements running with the land for ingress, egress and utilities, viz:

- (a) A 50 foot non-exclusive, perpetual easement, described as follows: From the accepted SE corner of the NE 1/4 of SW 1/4 of Section 10, Township 20 South, Range 1 West, run thence North along the accepted East boundary of said NE 1/4 of SW 1/4 a distance of 300.0 feet; thence turn 90 deg. 35 min. 08 sec. left and run 25.0 feet to the point of beginning of the centerline of herein described 50.0 foot easement for ingress and egress and utilities; thence North along a line 25 feet West of and parallel to the East line of the NE 1/4 of the SW 1/4 of Section 10, Township 20 South, Range 1 West, Shelby County, Alabama, 1005.13 feet to a point 25 feet West of the accepted NE corner of the NE 1/4 of SW 1/4 of Section 10, Township 20 South, Range 1 West; thence turn 02 deg. 05 min. 48 sec. right and run 308.05 feet along said easement centerline to a point in the centerline of a 50.0 foot easement for ingress and egress and utilities, known as L. D. Joseph Road; thence Easterly along the existing centerline of said L. D. Joseph Road to a point of termination of herein described easement on the Westerly boundary of Shelby County Highway No. 47.
- (b) A 60 foot wide right of way easement for ingress and egress running along an existing primary gravel road across the SE 1/4 of NW 1/4, Section 10, Township 20 South, Range 1 West, deeded from Gulf States Paper Corporation, and recorded in Real Record 076, at page 538, in the Probate Office of Shelby County, Alabama.
- (c) A 60 foot wide right of way easement for ingress and egress running along a primary gravel road across the S 1/2 of the NE 1/4, S 1/2 of NW 1/4, and NW 1/4 of SW 1/4, Section 10, Township 20 South, Range 1 West, deeded from Gulf States Paper Corporation and recorded in Real Record 084, at page 797 in the Probate Office of Shelby County, Alabama.

12/16/1997-40816  
09:48 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
003 MCD 101.50