

This instrument was prepared by:

(Name) Corley, Moncus & Ward, P.C.

(Address) 400 Shades Creek Pkwy., Ste 100
Birmingham, Alabama 35209

Send Tax Notice To: J. Thomas Holton

name

Arabian Road

address

Columbiana, AL 35051

WARRANTY DEED (Without Survivorship)

STATE OF ALABAMA

Jefferson COUNTY }

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of TEN THOUSAND AND NO/100

-----DOLLARS (\$10,000.00)

to the undersigned grantor (whether one or more), in hand paid by the grantee herein, the receipt whereof is acknowledged, I or we, W. D. Upton and wife, Ann Y. Upton

(herein referred to as grantor, whether one or more), grant, bargain, sell and convey unto J. Thomas Holton

(herein referred to as grantee, whether one or more), the following described real estate, situated in Shelby County, Alabama, to-wit:

Begin at the NW corner of the NE 1/4 of the SW 1/4 of Section 11, Township 21 South, Range 2 West; thence run South along the West line of said 1/4-1/4 section a distance of 565.75 feet; thence turn an angle of 90 degrees 56 minutes to the left and run a distance of 206.21 feet; thence turn an angle of 26 degrees 30 minutes to the left and run a distance of 651.89 feet; thence turn an angle of 127 degrees 00 minutes to the left and run a distance of 670.27 feet to the point of beginning. Situated in the NE 1/4 of the SW 1/4 of Section 11, Township 21 South, Range 2 West, Shelby County, Alabama.

Subject to existing easements, restrictions, set back lines, right of ways, limitations, if any, of record and Ad Valorem taxes for the year 1998, which said taxes are not due and payable until October 1st, 1998.

Also being described in Exhibit "A" attached hereto.

W.D. Upton
AG
12/31/1997-42554
03:21 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 PCB 22.00

\$ N/A of the Purchase Price was paid from the proceeds of a mortgage recorded simultaneously herewith. TO HAVE AND HOLD to the said grantee, his, her or their heirs and assigns forever.

And I (we) do for myself (ourselves) and for my (our) heirs, executors, and administrators covenant with the said GRANTEES, their heirs and assigns, that I am (we are) lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that I (we) have a good right to sell and convey the same as aforesaid; that I (we) will and my (our) 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 person.

IN WITNESS WHEREOF, we have hereunto set our hand(s) and seal (s), this 30th day of December, 19 97

(Seal)

W.D. Upton
W. D. Upton

(Seal)

(Seal)

Ann Y. Upton
Ann Y. Upton

(Seal)

(Seal)

(Seal)

STATE OF ALABAMA
Jefferson COUNTY }

General Acknowledgment

I, Claude M. Moncus, a Notary Public in and for the said County, in said State, hereby certify that W. D. Upton and wife, Ann Y. Upton whose name(s) 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 executed the same voluntarily on the day the same bears date.

Given under my hands and official seal this 30th day of December, A.D., 19 97

Claude M. Moncus
Claude M. Moncus

Notary Public

5.39 ACRE PARCEL: (Upton to Holton) Begin at the Northwest Corner of the NE1/4 of the SW1/4, Section 11, T-21S, R-2W; thence run southerly along the west boundary of said NE1/4 of SW1/4 for a distance of 565.75 feet to a point; thence turn an angle of 90 degrees 56 minutes to the left and run easterly for a distance of 206.21 feet to a point; thence turn an angle of 44 degrees 33 minutes 41 seconds to the left and run northeasterly for a distance of 651.89 feet to a point; thence turn an angle of 126 degrees 08 minutes 38 seconds to the left and run a distance of 670.27 feet to the point of beginning. Said parcel is lying in the NE1/4 of the SW1/4, Section 11, T-21S, R-2W, and contains 5.39 acres.

WTH
ayn

Inst # 1997-42554

12/31/1997-42554
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EXHIBIT A