

This instrument was prepared by:
Frank C. Galloway III
Galloway III & Moss, L.L.C.
11 Oak Street
Birmingham, Alabama 35213

Send tax notice to:
James B. Franks
1670 Indian Crest Drive
Pelham, Alabama, 35124

Inst # 1998-02589

WARRANTY DEED

STATE OF ALABAMA)
SHELBY COUNTY)

KNOW ALL MEN BY THESE PRESENTS

That in consideration of **Two Hundred Thousand and 00/100 Dollars (\$200,000.00)** paid by the grantees herein to Cahaba Title, Inc., in its capacity as a "qualified intermediary" under Treasury Regulation Section 1.1031(k)-1(g)(4), as agent for grantor, JPT Partners, Ltd., the receipt whereof is acknowledged, grantor

JPT Partners, Ltd.

(herein referred to as "Grantor") does grant, bargain, sell and convey unto

James B. Franks and his wife, Deborah Franks

(herein referred to as "Grantees") the following described real estate situated in Shelby County, Alabama to-wit:

Lot 9 according to the Survey of Cahaba Valley Farms, a single family residential, estate lot subdivision, as recorded in Map Book 15 page 36 in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

- Subject to:
- (1) 1998 ad valorem taxes not yet due and payable;
 - (2) restrictions, covenants and conditions as set out in instrument(s) recorded in Real 245 page 293 in Probate Office;
 - (3) Transmission Line Permit(s) to Alabama Power Company as shown by instrument(s) recorded in Deed Book 133 page 170 in Probate Office; and
 - (4) Restrictions, limitations and conditions as set out in Map Book 15 page 36.

01/26/1998-02589
11:23 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
208.50
001 MEL

TO HAVE AND TO HOLD Unto the said Grantees, their heirs, executors and assigns, forever.

And Grantor does for itself and its successors and assigns covenant with the said Grantees, their heirs, executors and assigns, that it is lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that it has a good right to sell and convey the same as aforesaid; that it will and its successors 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 has set its hand and seal, this 18th day of January, 1998.

JPT PARTNERS, LTD.

By Judith A. LaMarche (Seal)
Judith A. LaMarche
Limited Partner

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STATE OF ALABAMA)
JEFFERSON COUNTY)

I, Frank C. Galloway III, a Notary Public in and for said County, in said State, hereby certify that Judith A. LaMarche as limited partner of JPT Partners, Ltd. 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, Judith A. LaMarche, as such limited partner, and with full authority, executed the same voluntarily for and as the act of said limited partnership on the day the same bears date.

Given under my hand and official seal this 18th day of January, 1998.

Frank C. Galloway III
Notary Public: Frank C. Galloway III
My Commission Expires: 11-15-01