

THIS INSTRUMENT PREPARED BY:

SEND TAX NOTICE TO:

✓ James M. Tingle
900 Park Place Tower
2001 Park Place North
Birmingham, AL 35203

Mr. & Mrs. Nelson R. Bailey
2500 Pelham Parkway
Pelham, AL 35124

Inst # 1998-03179

WARRANTY DEED, JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

STATE OF ALABAMA
SHELBY COUNTY

KNOW ALL MEN BY THESE PRESENTS,

That in consideration of Six Hundred Ninety-Nine Thousand and NO/100 Dollars (\$699,000.00) to the undersigned grantor in hand paid by the GRANTEES herein, the receipt whereof is acknowledged, I, JACK J. HALL, a married man, (herein referred to as grantor) do grant, bargain, sell and convey unto NELSON R. BAILEY and wife, JANE LEE BAILEY (herein referred to as GRANTEES) as joint tenants, with right of survivorship, the following described real estate situated in Shelby County, Alabama, to-wit:

SEE LEGAL DESCRIPTION ON ATTACHED EXHIBIT A
WHICH IS SPECIFICALLY MADE A PART HEREOF

SUBJECT TO:

1. Transmission Line Permit(s) to Alabama Power Company as shown by instrument(s) recorded in Deed Book 108 Page 334; Deed Book 61 page 46; Deed Book 76 page 281; Deed Book 133 page 523 and Deed Book 158 page 559 in Probate Office.
2. Right(s)-of-Way(s) granted to Shelby County by instrument(s) recorded in Deed Book 152 page 148 in Probate Office.
3. Easement(s) to Little Gem Coal Co. as shown by instrument recorded in Deed Book 92 page 203 in Probate Office.
4. Right(s)-of-Way(s) granted to Cahaba Coal Mining Co. by instrument(s) recorded in Deed Book 12 pages 58 and 67 in Probate Office.
5. Right(s)-of-Way(s) granted to Briarfield-Blockton Birmingham Railroad Co. by instrument(s) recorded in Deed Book 12 page 185 in Probate Office.
6. 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 Deed Book 310 page 296 in Probate Office.
7. Condemnation by Alabama Power Company for transmission and distribution lines as shown by Final Record 7 page 236 dated February 7, 1917.
8. Rights of others to use of easements as described herein, and in Real 183 page 364, Inst. #1993-41362, Inst. #1994-7699 and Real 341 page 106 in Probate Office.
9. Less and except any portion lying within road right of way and/or railroad right of way.

The above described property does not constitute the homeplace of the Grantor, Jack J. Hall.

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 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 said GRANTEES, their heirs and assigns, that I am lawfully seized in fee simple of said

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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 30 day of January, 1998.

WITNESS:

Paula P. McCay

Jack J. Hall (SEAL)
JACK J. HALL

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that JACK J. HALL, 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 30 day of January, 1998.

Paula P. McCay
NOTARY PUBLIC

My Commission Expires: 3/28/2000

EXHIBIT "A"

Parcel 1

A portion of the SE 1/4 of the SE 1/4 of Section 7, the E 1/2 of the NE 1/4 of Section 18, the NW 1/4 of the NW 1/4 and the NE 1/4 of the NW 1/4 of Section 17, and the S 1/2 of the SW 1/4 of Section 8, all in Township 22 South, Range 3 West. Begin at the NE corner of the SE 1/4 of the SE 1/4 of Section 7, Township 22 South, Range 3 West and run Westerly along the North side of the said 1/4-1/4 for 1316.36 feet to the NW corner of the said 1/4-1/4 then turn an angle of 90 deg. 42 min. 17 sec. to the left and run Southerly along the West side of the said 1/4-1/4 for 1329.17 feet to the NW corner of the E 1/2 of the NE 1/4 of Section 18, Township 22 South, Range 3 West, then turn an angle of 0 deg. 12 min. 56 sec. to the left and run Southerly for 2661.76 feet to the SW corner of the said E 1/2, then turn an angle of 88 deg. 51 min. 27 sec. to the left and run Easterly for 1307.54 feet along the South side of the said E 1/2 to the SE corner of the said E 1/2, then turn an angle of 91 deg. 02 min. 51 sec. to the left and run Northerly for 1333.05 feet along the East side of the said E 1/2 to the SW corner of the NW 1/4 of the NW 1/4 of Section 17, Township 22 South, Range 3 West, then turn an angle of 92 deg. 37 min. 30 sec. to the right and run Easterly along the South side of the said NW 1/4 of the NW 1/4 for 234.27 feet to a point on a fence line, then turn an angle of 82 deg. 57 min. 33 sec. to the left and run Northeasterly for 79.98 feet to a fence corner, then turn an angle of 81 deg. 45 min. 09 sec. to the right and run Easterly for 779.93 feet along a fence to a point on the West right of way of the Southern Railroad, then turn an angle of 78 deg. 17 min. 21 sec. to the left and run Northeasterly for 855.67 feet, then turn an angle of 81 deg. 31 min. to the right and run Easterly for 101.10 feet to a point on the East right of way of said Railroad, said point being on an accepted fence line on the North side of the T. D. Harper land, then continue Easterly along the last described course and along the fence on the North side of the T. D. Harper land for 722.22 feet to a point on the West right of way of Shelby County Road No. 17, then turn an angle of 84 deg. 41 min. 02 sec. to the left and run Northerly along the West right of way of said Road for 137.06 feet to the point of beginning of a tangent curve concave Southwesterly and having a radius of 1104.13 feet, then continue Northerly along the West right of way through a central angle of 20 deg. 38 min. 07 sec. for 397.66 feet to the end of said curve, then continue Northerly along said West right of way for 189.13 feet to the beginning of a tangent curve concave Northeasterly and having a radius of 2904.97 feet, then continue Northerly along the said West right of way through a central angle of 6 deg. 03 min. for 306.74 feet to the end of said curve, then continue Northerly along the said West right of way for 404.51 feet to the beginning of a tangent curve concave Southwesterly and having a radius of 1006.31 feet, then continue Northerly through a central angle of 19 deg. 54 min. 15 sec. for 349.59 feet to a point on the North side of the S 1/2 of the SW 1/4 of Section 8, Township 22 South, Range 3 West, then turn an angle from the chord of the last described 349.59 feet arc of 72 deg. 44 min. 21 sec. to the left and run Westerly along the North side of the said S 1/2 of the SW 1/4 for 1862.16 feet back to the point of beginning; being situated in Shelby County, Alabama.

Also a portion of the NE 1/4 of the SE 1/4 of Section 7, Township 22 South, Range 3 West and the N 1/2 of the SW 1/4 of Section 8, Township 22 South, Range 3 West described as follows:

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Begin at the SE corner of the NE 1/4 of the SE 1/4 of Section 7, Township 22 South, Range 3 West and run Westerly along the South side of the said 1/4-1/4 for 1316.36 feet to the SW corner of the said NE 1/4 of the SE 1/4, then turn an angle of 89 deg. 17 min. 43 sec. to the right and run Northerly along the west side of the said 1/4-1/4 for 17.51 feet to a point on a fence line, then turn an angle of 89 deg. 55 min. 49 sec. to the right and run easterly along a fence for 1132.58 feet, then turn an angle of 1 deg. 23 min. 48 sec. to the right and run easterly for 1028.36 feet along the said fence, then turn an angle of 0 deg. 14 min. 41 sec. to the right and run easterly along the said fence for 445.63 feet, thence turn an angle of 0 deg. 13 min. 35 sec. to the left and run easterly along the said fence for 536.31 feet to a point on the west right of way line of Shelby County Road No. 17, then turn an angle of 62 deg. 09 min. 31 sec. to the right and run southeasterly along the west right of way of said road for 45.24 feet to the beginning of a tangent curve concave southwesterly and having a radius of 1006.31 feet, then continue southeasterly along the west right of way of said road through a central angle of 1 deg. 50 min. 53 sec. for 32.46 feet to a point on the south side of the N 1/2 of the SW 1/4 of Section 8, Township 22 South, Range 3 West, then turn an angle from the chord of the last described curve section of said right of way of 118 deg. 08 min. 16 sec. to the right and run westerly along the south side of the said N 1/2 of the SW 1/4 for 1862.16 feet back to the point of beginning.

LESS AND EXCEPT a parcel of land lying and being situated partly in the SW 1/4 of Section 8, and partly in the SE 1/4 of Section 7, all in Township 22 South, Range 3 West, Shelby County, Alabama, described as follows: From the Northwest corner of the SW 1/4 of SW 1/4 of Section 8, run North along the section line 30.82 feet to a point on a fence, being the point of beginning; thence run East along said fence for 280 feet to the Northwest corner of property conveyed to Hill by Fennell in Deed Book 335 page 729; thence run south and parallel to the West line of Section 8 for 628.5 feet; run thence West and along a continuation of said parcel previously mentioned that had been conveyed from Fennell to Hill, for 420.5 feet; thence run North and parallel to the west line of Section 8 for 622.1 feet to a point on a fence; run thence Easterly along said fence for 140.5 feet, and back to the point of beginning.

LESS AND EXCEPT a parcel of land situated in the SW 1/4 of Section 8, Township 22 South, Range 3 West, Shelby County, Alabama, described as follows: From the Northwest corner of the SW 1/4 of the SW 1/4 of Section 8, run North along the West section line for 30.82 feet to a point on a fence; thence run Easterly along said fence for 280 feet to the point of beginning of subject parcel of land; from said point thus established, continue to run along said fence for 1486.5 feet; thence deflect right an angle of 109 deg. 00 deg. and run Southwesterly and parallel to the West right of way line of the railroad right of way line for 660 feet; thence deflect right 90 deg. and run Westerly and parallel to the North line for 1264 feet; thence deflect right 90 deg. and run Northerly for 628.5 feet and back to the point of beginning.

SUBJECT TO a 30 foot easement situated in the East 1/2 of the SW 1/4 of Section 8, Township 22 South, Range 3 West, Shelby County, Alabama, described as follows: Commence at the Northwest corner of the SW 1/4 of the SW 1/4 of said Section 8, and run North along the West 1/4 -1/4 for 30.82 feet to a point on a fence; thence run Easterly along said fence line for 1766.5 feet to the point of beginning; thence continue in an Easterly direction along said fence line a distance of 30 feet, more or less, to the right of way of Shelby County Highway No. 17; thence Southerly along said Highway right of way a distance of 30 feet; thence run West and parallel with the North boundary of property herein described, to a point on the Easterly boundary of property heretofore conveyed to William R. Hill, Jr. and Cynthia Ann Hill as shown by Deed Book 335 page 729; thence run in a Northerly direction along the East line of said Hill property to the point of beginning of said easement.

Parcel II

A parcel of land in the SW 1/4 of Section 8, and in the East 1/2 of the SE 1/4, Section 7, all in Township 22 South, Range 3 West, Shelby County, Alabama, described as follows:

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From the NW corner of the NW 1/4 of the SW 1/4, Section 8, run Southerly along the Section line 1298.93 feet to the beginning point of subject lot; from said point, run South 86 deg. 20 min. 18 sec. East 279.718 feet; thence South 04 deg. 32 min. 56 sec. West 623.707 feet; thence North 86 deg. 14 min. 09 sec. West 420.181 feet; thence run North 04 deg. 32 min. 56 sec. East 622.934 feet; thence run South 86 deg. 20 min. 52 sec. East 140.474 feet, back to the beginning point. There is excepted herefrom any portion located in the NE 1/4 of SE 1/4 of Section 7, Township 22 South, Range 3 West, Shelby County, Alabama.

Subject to a 60 foot easement across the entire North side.

Parcel III

A parcel of land in the SW 1/4 of Section 8, Township 22 South, Range 3 West, Shelby County, Alabama described as follows: From the NW corner of the NW 1/4 of the SW 1/4 of Section 8, run Southerly along the Section line 1298.93 feet; thence run South 86 deg. 20 min. 18 sec. East 279.718 feet to the beginning point of subject lot; from said point continue said course 347.954 feet; thence South 08 deg. 25 min. 53 sec. East 638.685 feet; thence North 86 deg. 14 min. 09 sec. West 491.417 feet; thence 04 deg. 32 min. 56 sec. East 623.707 feet, back to the beginning point; being situated in Shelby County, Alabama.

Subject to a 60 foot easement across the entire North side.

Parcel IV

A parcel of land in the SW 1/4 of Section 8, Township 22 South, Range 3 West, Shelby County, Alabama, described as follows: From the NW corner of the NW 1/4 of the SW 1/4, Section 8, run Southerly along the Section line 1298.93 feet; thence run South 86 deg. 20 min. 18 sec. East 992.27 feet to a point; thence run North 04 deg. 37 min. 52 sec. East 60 feet to the beginning point of subject lot; from said point, run South 86 deg. 19 min. 40 sec. East 82.596 feet; thence North 00 deg. 24 min. 08 sec. West 206.458 feet; thence North 85 deg. 18 min. West 64.471 feet; thence South 04 deg. 37 min. 52 sec. West 207.003 feet back to the beginning; being situated in Shelby County, Alabama.

Parcel V

An easement 60 feet leading from the West right of way line of Shelby County Road to the South line of Hill lot described as follows: From the NW corner of the NW 1/4 of SW 1/4, Section 8, Township 22 South, Range 3 West, Shelby County, Alabama run South along the West 1/4 1/4 line 1298.93 feet to a point; thence South 86 deg. 20 min. 18 sec. East 992.27 feet to the beginning point of subject lot; from said point run North 04 deg. 37 min. 52 sec. East 60 feet; thence South 86 deg. 19 min. 40 sec. East 82.596 feet; thence North 00 deg. 24 min. 08 sec. West 236.46 feet; thence South 85 deg. 18 min. 00 sec. East 641.936 feet to a point on the West right of way line of County Road 17, said point being on a curve concave left having a central angle of 02 deg. 00 min. 48 sec. with a radius of 1818.2040 feet; thence along the arc of said curve 64.2421 feet; thence North 85 deg. 18 min. 00 sec. West 600.156 feet; thence South 00 deg. 24 min. 08 sec. East 235.152 feet; thence North 86 deg. 19 min. 40 sec. West 147.787 feet, back to the beginning; being situated in Shelby County, Alabama.

ALSO: An easement and right of ingress and egress described as follows:

That certain easement reserved by William R. Hill and wife, Michele R. Hill in that certain deed executed by them as Grantors to Roy R. Chappell and Connie R. Chappell as recorded in Deed Document #1992-21437 in the Probate Office of Shelby County, Alabama more particularly described as beginning at the NW corner of said tract conveyed to Roy R. Chappell and Connie R. Chappell by the above referred to deed and run South 86 deg. 19 min. 40 sec. East 424.21 feet; thence deflect right 90 deg. for 60 feet; run North 86 deg. 19 min. 40 sec. West to the West line of tract conveyed to Chappell above described; thence Northerly along the said West line to the beginning point; being situated in Shelby County, Alabama.

LESS AND EXCEPT that portion conveyed to Alabama Power Company more particularly

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described as follows:

A strip of land being 100 feet in width lying in the SE 1/4 of the SE 1/4 of Section 7 and the NE 1/4 of the NE 1/4 of Section 18, all in Township 22 South, Range 3 West, Shelby County, Alabama, more particularly described as follows:

Commence at the SE corner of the NE 1/4 of SE 1/4 of said Section 7, Township 22 South, Range 3 West; thence run North along the East line of said NE 1/4 of SE 1/4 a distance of 648.0 feet to a point; thence turn an angle to the left and run South 13 deg. 48 min. 27 sec. West a distance of 1495.3 feet to a point, such point being the point of beginning of the right of way herein described; therefrom, the strip lies 50 feet on each side of center line and the continuations thereof which begins at such point of beginning and turns an angle to the right of 26 deg. 11 min. 53 sec. and runs South 40 deg. 00 min. 20 sec. West a distance of 444.49 feet to a point; thence turn an angle to the left of 38 deg. 11 min. 55 sec. and run South 01 deg. 48 min. 25 sec. West a distance of 943.80 feet to a point, such point being the point of ending of the right of way herein described.

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