

This instrument was prepared by:
Timothy D. Davis, Esq.
Gordon, Silberman, Wiggins & Childs
1400 SouthTrust Tower
Birmingham, Alabama 35126

Send Tax Notice to:
Frank H. Brockson and April N. Brockson
4357 Heritage View Road
Birmingham, Alabama 35242

GENERAL WARRANTY DEED, JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

STATE OF ALABAMA)
COUNTY OF SHELBY)

KNOW ALL PERSONS BY THESE PRESENTS:

That in consideration of Five Hundred Seventy-Five Thousand and 00/100 Dollars (\$575,000.00) to the undersigned **ACTIVE BUILDING CONTRACTORS, INC.**, an Alabama corporation (hereinafter referred to as GRANTOR), in hand paid by the GRANTEES herein, the receipt of which is hereby acknowledged, the said GRANTOR does by these presents, grant, bargain, sell and convey unto **FRANK H. BROCKSON and wife, APRIL N. BROCKSON**, as joint tenants with right of survivorship (herein referred to each singularly as GRANTEE and collectively as GRANTEES), the following described real estate, situated in Shelby County, Alabama, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO FOR LEGAL DESCRIPTION
AND EXCEPTIONS TO TITLE

ALL OF THE CONSIDERATION TO THE GRANTOR IS REPRESENTED BY THAT
CERTAIN PURCHASE MONEY MORTGAGE EXECUTED BY GRANTEE IN FAVOR OF
BANK OF ALABAMA AND RECORDED SIMULTANEOUSLY HERewith.

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 the said GRANTOR does for itself, its administrators, successors and assigns, covenant with said GRANTEES, their heirs, executors, administrators and assigns, that it is lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise stated on Exhibit "A" hereto; that it has a good right to sell and convey the same as aforesaid; and that it will, and its administrators, successors and assigns shall, warrant and defend the same to the said GRANTEES, their heirs, executors, administrators, and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said GRANTOR, by its President, who is authorized to execute this conveyance, has hereto set its signature and seal, as of the 14th day of December, 1998.

ACTIVE BUILDING CONTRACTORS, INC.


By: 
Its President

12/17/1998-30326
10:43 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 CRH 14.50

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that J. Donald Gilbert, whose name as President of Active Building Contractors, Inc., an Alabama corporation, 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, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this 14th day of December, 1998.



Notary Public
My Commission Expires 2-13-99

EXHIBIT "A"

Commence at the NW corner of SE ¼ of the NW ¼ Section 13, Township 20 South, Range 3 West, Shelby County, Alabama and run South 86°10'38" East, 103.61 feet to the point of beginning; thence South 86°00'00" East, 220.00 feet; thence South 04°00'00" West, 35.00 feet; thence South 86°00'00" East, 40.00 feet; thence South 05°03'54" West, 204.58 feet; thence North 86°28'21" West, 97.16 feet; thence North 57°58'42" West, 75.23 feet; thence North 86°00'00" West, 93.00 feet; thence North 04°06'08" East, 205.00 feet to the point of beginning.

All lying in the SE ¼ of the NW ¼ of Section 13, Township 20 South, Range 3 West, Shelby County, Alabama.

TOGETHER WITH THE RIGHTS TO ACCESS AND UTILITY EASEMENT TO THE ABOVE PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Begin at the Northeast corner of the SW ¼ of the NW ¼ of Section 13, thence run West along the North ¼ - ¼ line 92.44 feet, thence turn left 88°03'49" and run South 5.68 feet; thence turn right 90°00'00" to the tangent of a counterclockwise curve having a delta angle of 14°58'34" and a radius of 328.32 feet and run Westerly along the arc of said curve 85.82 feet; thence continue tangent to said curve 18.58 feet to point of a clockwise curve having a delta angle of 39°40'57" and a radius of 114.57 feet, thence run along the arc of said curve 79.35 feet to a point on the Southeast right of way of U.S. Highway #31; thence turn left 90°00'00" from tangent and run Southwest along said highway right of way 24.00 feet, thence turn left 90°00'00" to the tangent counterclockwise curve having a delta angle of 39°40'57" and a radius of 138.57 feet, and run Easterly along the arc of said curve 95.97 feet; thence continue tangent to said curve 18.58 feet to the point of a clockwise curve having a delta angle of 14°58'34" and a radius of 304.32 feet, thence run Easterly along the arc of said curve 79.57 feet, thence continue Easterly and tangent to said curve 217.11 feet, thence turn left 91°52'05" and run North 37.00 feet to a point on the North line of the SE ¼ of the NW ¼ of Section 13, thence turn left 90°04'06" and run West along said ¼ - ¼ line 123.58 feet to the point of beginning.

SUBJECT TO:

1. Taxes and assessments for the year 1999 and subsequent years which are not yet due and payable.
2. Subject to a 20 foot private access and utility easement (1) as shown on Survey of O. Guthrie Jeffcoat, Jr., dated 9-16-98.
3. Subject to a 20 foot private access easement (2) as shown on Survey of O. Guthrie Jeffcoat, Jr., dated 9-16-98.
- Subject to a 21.98 foot utility easement (3) as shown on Survey of O. Guthrie Jeffcoat, Jr., dated 9-16-98.
- Subject to a 35 foot private access and utility easement (4) as shown on Survey of O. Guthrie Jeffcoat, Jr., dated 9-16-98.
- Right of way to Southern Bell Telephone and Telegraph Company, recorded in Volume 285, page 183, in the Probate Office of Shelby County, Alabama.
7. Easement recorded in Real 230, page 620, in the Probate Office of Shelby County, Alabama.
8. Easement for Alabama Power Company recorded in Instrument 9503/7485, in the Probate Office of Jefferson County, Alabama.
9. Rights of others in and to the use of the easement recorded in Real 230, page 620, in the Probate Office of Shelby County, Alabama.

12/17/1998-40328
10:43 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 CRH 14.50

92605-8661
Inst # 1998-50326