

This instrument was prepared by

**Mitchell A. Spears**

ATTORNEY AT LAW

P.O. Box 119

Montevallo, AL 35115-0091

205/665-5102

205/665-5076

Send Tax Notice to:

(Name) Kermit H. Roberson

(Address) 288 Hwy. 310

Calera, AL 35040

**WARRANTY DEED**

**STATE OF ALABAMA**

**SHELBY and CHILTON**

**COUNTY**

**KNOW ALL MEN BY THESE PRESENTS,**

That in consideration of ONE HUNDRED THOUSAND and 00/100, (\$100,000.00)-----DOLLARS

to the undersigned grantor (whether one or more), in hand paid by the grantee herein, the receipt whereof is acknowledged, I or we,  
**WATSON CREEK PROPERTIES, LLC**

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

**KERMIT H. ROBERSON**

(herein referred to as grantee, whether one or more), the following described real estate, situated in

**SHELBY and CHILTON** County, Alabama, to-wit:

**SHELBY COUNTY PROPERTY**

SW 1/4 of SW 1/4 of Section 10, Township 24, Range 13 East, Shelby County, Alabama.

**SUBJECT TO:**

Taxes for 1999 and subsequent years. 1999 ad valorem taxes are a lien but not due and payable until October 1, 1999.

Permits and rights of way of record.

**CHILTON COUNTY PROPERTY**

Begin at the Northwest corner of Section 15, Township 24 North, Range 13 East, Chilton County, Alabama. Thence South 88 degrees, 56 minutes, 45 seconds East along the North boundary line of said section 500.00 feet to a 5/8" rebar, thence South 0 degrees, 41 minutes, 20 seconds East 54.22 feet to the north right-of-way line of Chilton County Road No. 95 and a 5/8" rebar, thence South 89 degrees, 02 minutes, 39 seconds West along said north right-of-way line 499.77 feet to the west boundary line of said section and a 5/8" rebar thence leaving said right-of-way line North 0 degrees, 41 minutes, 20 seconds West 71.75 feet back to the Point of Beginning. Lying and being situated in the Northwest Quarter of the Northwest Quarter of Section 15, Township 24 North, Range 13 East, Chilton County, Alabama.

**SUBJECT TO:** Ad valorem taxes for the year 1999, a lien not yet due and payable.

Rights of ways for poles, power lines, guy wires, roadways and other easements.

Mineral and mining rights are not ensured.

**REFERENCE IS HEREBY MADE TO EXHIBIT "A" AS OWNERSHIP AFFIDAVIT.**

**FOR PURPOSES OF THIS TRANSACTION, THE VALUE OF PROPERTY ALLOCATION IS:**

**\$97,500.00 FOR SHELBY COUNTY PROPERTY AND \$2,500.00 FOR CHILTON COUNTY PROPERTY.**

**TO HAVE AND TO 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 said grantee, his, her or 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 stated 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 grantee, his, her or their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, I (we) have hereunto set my (our) hand(s) and seal(s) this \_\_\_\_\_ day of December, 19 98

WATSON CREEK PROPERTIES, LLC

(Seal)

(Seal)

By: James M. Lee, Jr.

Its: Administrative Member/Manager

(Seal)

(Seal)

(Seal)

**STATE OF ALABAMA**

**County**

**General Acknowledgment**

I, \_\_\_\_\_  
in said State, hereby certify that

whose name(s) \_\_\_\_\_ signed to the foregoing conveyance, and who  
day that, being informed of the contents of the conveyance,

is known to me, acknowledged before me on this  
executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this \_\_\_\_\_

Inst. # 1998-51380

a Notary Public in and for said County.

12/23/1998-51380

12/23/1998 **CERTIFIED**

12:43 PM **JUDGE OF PROBATE**

SHELBY COUNTY **JUDGE OF PROBATE**  
005 CRH 118.50

19 \_\_\_\_\_

My Commission Expires:

Notary Public

STATE OF ALABAMA  
COUNTY OF SHELBY

)  
) ACKNOWLEDGMENT IN  
REPRESENTATIVE CAPACITY

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that **JAMES M. LEE, JR., whose name as ADMINISTRATIVE MEMBER/MANAGER OF WATSON CREEK PROPERTIES, LLC** 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, in his capacity as such Administrative Member/Manager, executed the same voluntarily on the day the same bears date.

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

  
\_\_\_\_\_  
Notary Public  
My commission expires: 9/13/2001

STATE OF ALABAMA )  
COUNTY OF SHELBY )

OWNERSHIP AFFIDAVIT

(INCLUSIVE OF LLC RESOLUTION)

COME NOW Jonna L. Ali, James M. Lee, Jr. and Linda L. Vise, as Affiants herein, and after first having been duly sworn, said Affiants do hereby say and depose as follows:

1. Each of said Affiants is over the age of nineteen (19) years, of sound mind, and have personal knowledge of the facts stated herein.
2. On or about October 22, 1996, the Affiants, in conjunction with two other members, executed and entered into membership of a limited liability company, which was named Watson Creek Properties, LLC.
3. The operating agreement of said LLC requires, within Article III, Section 3.2, Sub-Section (b), that sixty percent (60%) of the aggregate membership interest of all members is required for the conveyance of real estate. The names and addresses, inclusive of the degree of membership interest in said LLC, are hereby stated as follows:

|                      |     |
|----------------------|-----|
| Jonna L. Ali         | 20% |
| 2067 Longmeadow Lane |     |
| Birmingham, AL 35244 |     |

|                      |     |
|----------------------|-----|
| James M. Lee, Jr.    | 20% |
| 5271 County Road 151 |     |
| Calera, AL 35040     |     |

|                  |     |
|------------------|-----|
| Jane L. Rhodes   | 20% |
| 80 Sontepe Road  |     |
| Calera, AL 35040 |     |

|                      |     |
|----------------------|-----|
| Linda L. Vise        | 20% |
| 4013 Hunters Lane    |     |
| Birmingham, AL 35243 |     |

|                       |     |
|-----------------------|-----|
| Virginia L. Young     | 20% |
| 5411 Oak Meadow Drive |     |
| Milton, FL 32570      |     |

4. It should be noted that Jane L. Rhodes has heretofore deceased on or about October 29, 1998. Furthermore, the signature of Virginia L. Young is not sought in regard to this Ownership Affidavit inclusive of Resolution, as it is the case that said member lives within the State of Florida, and for the purposes of convenience, the sixty percent (60%) approval designation for sale of the herein described real estate will suffice to comprise the sixty percent (60%) needed to approve such sale, same of which is hereby approved by sixty percent (60%) of the members, to Kermit H. Roberson regarding the real estate designated as follows:

SHELBY COUNTY PROPERTY:

SW ¼ of SW ¼ of Section 10, Township 24, Range 13 East, Shelby County, Alabama.

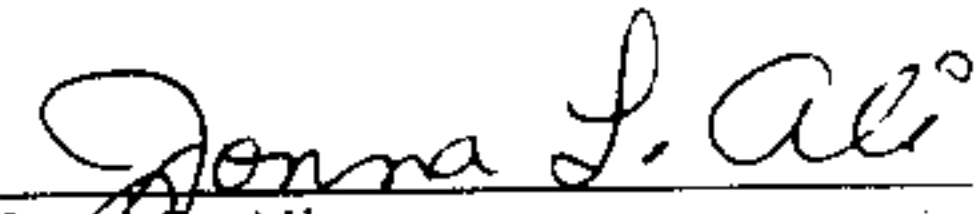
**CHILTON COUNTY PROPERTY:**

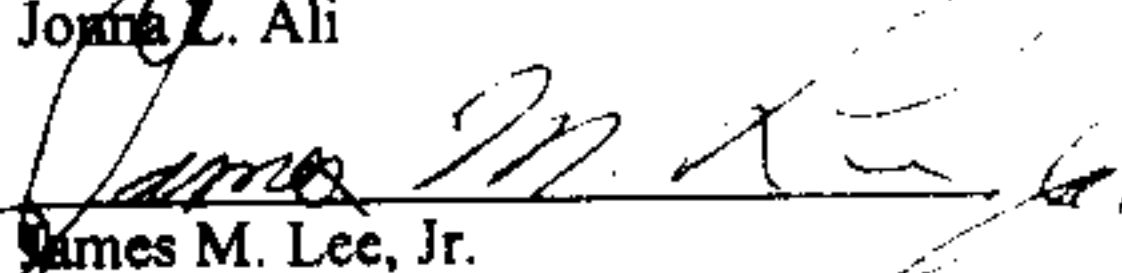
Begin at the Northwest corner of Section 15, Township 24 North, Range 13 East, Chilton County, Alabama. Thence South 88 degrees, 56 minutes, 45 seconds East along the north boundary line of said section 500.00 feet to a 5/8" rebar, thence South 0 degrees, 41 minutes, 20 seconds East 54.22 feet to the North right of way line of Chilton County Road No. 95 and a 5/8" rebar, thence South 89 degrees, 02 minutes, 39 seconds West along north right of way line 499.77 feet to the west boundary line of said section and a 5/8" rebar thence leaving said right-of-way line North 0 degrees, 41 minutes, 20 seconds West 71.75 feet back to the Point of Beginning. Lying and being situated in the Northwest Quarter of the Northwest Quarter of Section 15, Township 24 North, Range 13 East, Chilton County, Alabama.

Furthermore, said segment of the membership of said LLC, does hereby authorize James M. Lee, Jr. to execute the Deed of Conveyance to said Purchaser regarding the real estate hereinabove described.

5. In reference to that certain Deed which was recorded at Instrument Number 1997-17877, as regarding the Shelby County property, each of the Grantors were married individuals on the 5<sup>th</sup> day of June, 1997, being the date of such Deed. The property conveyed by such Deed did not, and does not now constitute the homestead of either of the Grantors, nor that of their spouses, neither is it contiguous thereto.
6. Affiants further depose and say that Milford Lee, Grantee in Deed Book 254, Page 585, is one and the same person as James M. Lee, as designated in Probate Case Number 32-52, Probate Office of Shelby County, Alabama. Said Milford Lee, also known as James M. Lee, deceased on or about January 11, 1994.
7. Watson Creek Properties, LLC, has been in full and complete possession of the above designated property, since the purchase of the Shelby County parcel and the Chilton County parcel. No other person or entity claims any right, title or interest therein.
8. THE AFFIANTS HEREBY ATTEST TO THE FACT THAT THE ALLOCATION OF THE \$100,000.00 PURCHASE PRICE IS MADE AS FOLLOWS:  
Shelby County Property \$ 97,500.00  
Chilton County Property \$ 2,500.00  
TOTAL \$100,000.00

FURTHERMORE, the Affiants saith naught.

  
Jonna L. Ali

  
James M. Lee, Jr.

  
Linda L. Vise

STATE OF Alabama )  
COUNTY OF Shelby )

Sworn to and subscribed before me this the 15<sup>th</sup> day of December, 1998.

  
Notary Public

My commission expires: 10/19/99

STATE OF Alabama)  
COUNTY OF Shelby)

Sworn to and subscribed before me this the 15<sup>th</sup> day of December 1998.

Elyahed Ann Patterson  
Notary Public

My commission expires: 10/19/99

STATE OF Alabama)  
COUNTY OF Shelby)

Sworn to and subscribed before me this the 15<sup>th</sup> day of December 1998.

Elyahed Ann Patterson  
Notary Public

My commission expires: 10/19/99

10.26 \* 1998-01380

12/23/1998-01380  
02:43 PM CERTIFIED  
SHELBY COUNTY CLERK OF COURSE  
JAN 1999 1.9.99