

**THIS INSTRUMENT PREPARED BY:**  
**James J. Odom, Jr.**  
**P.O. Box 11244**  
**Birmingham, AL 35202-1244**

**SEND TAX NOTICE TO:**  
**Robert Lee Kirkland**  
**P. O. Box 212**  
**Alabaster, AL 35007**

**STATE OF ALABAMA     )**  
**COUNTY OF SHELBY    )**

**WARRANTY DEED**

**KNOW ALL MEN BY THESE PRESENTS THAT** in consideration of Three Hundred Twenty-five Thousand and No/100 (\$325,000.00) Dollars to the undersigned grantor, 3-M Developers, L.L.C., an Alabama limited liability company, in hand paid by Robert Lee Kirkland and Janet Ann Kirkland, the receipt whereof is hereby acknowledged, the said 3-M Developers, L.L.C., an Alabama limited liability company (referred to herein as "Grantor"), does by these presents, grant, bargain, sell and convey unto the said Robert Lee Kirkland and Janet Ann Kirkland (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 ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION.**

**SUBJECT TO:** (1) Current taxes; (2) Transmission Line Permits to Alabama Power Company as shown by instruments recorded in Deed Book 184, Page 417; Deed Book 195, Page 282; and Deed Book 126, Page 292, in Probate Office; (3) Rights of way granted to Shelby County by instrument recorded in Deed Book 180, Page 605, and Deed Book 300, Page 301, in Probate Office; (4) Rights-of-way granted to Colonial Pipeline Co. by instruments recorded in Deed Book 222, Page 826, and Deed Book 268, Page 811, in Probate Office; (5) 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 36, Page 429, and Deed Book 23, Page 525, in Probate Office; (6) All existing, future or potential common law or statutory rights of access between the right of way of I-65 and subject property as conveyed and relinquished to the State of Alabama; (7) Less and except any portion sold to the State of Alabama for highway right of way as set out in Deed Book 300, Page 301, in Probate Office.

\$325,000.00 of the purchase price recited above was paid from a mortgage loan closed simultaneously herewith.

**TO HAVE AND TO HOLD** to 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

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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 said Grantor does for itself, its successors and assigns, covenant with said Grantees, their heirs and assigns, that it is lawfully seized in fee simple of said premises; that the premises 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 caused this instrument to be executed on this the 17th day of February, 1999.

**WITNESSES:**

**3-M DEVELOPERS, L.L.C., an Alabama limited liability company**

A. Marshall

By: Roy L. Martin  
Roy L. Martin, as Manager

A. Marshall

By: Jack A. McGuire  
Jack A. McGuire, as Manager

A. Marshall

By: Donald R. Murphy  
Donald R. Murphy, as Manager

**STATE OF ALABAMA     )  
COUNTY OF SHELBY    )**

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Roy L. Martin, Jack A. McGuire, and Donald R. Murphy, whose names as Managers of 3-M Developers, L.L.C., an Alabama limited liability company, 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, as such Managers and with full authority, executed the same voluntarily for and as the act of said limited liability company.

Given under my hand and seal this 17th day of February, 1999.

Arnet P. Marshall  
Notary Public

My Commission Expires: 3/13/99

**EXHIBIT "A"**

A parcel of land located in the SE 1/4 of NE 1/4 and the NE 1/4 of SE 1/4 of Section 24, Township 20 South, Range 3 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the NE corner of the SE 1/4 of the NE 1/4 of said Section 24; thence South 0 deg. 0 min. 43 sec. West along the East line of said 1/4-1/4 section, a distance of 1,246.86 feet; thence North 89 deg. 59 min. 17 sec. West a distance of 119.01 feet to a point lying on the Westerly right-of-way line of Shelby County Highway No. 35 and the point of beginning; thence South 26 deg. 38 min. 54 sec. West along said right-of-way line a distance of 160.33 feet; thence South 75 deg. 41 min. 54 sec. West a distance of 139.00 feet to a point lying on the Northerly right-of-way line of Shelby County Highway No. 52; thence North 64 deg. 41 min. 16 sec. West along said right-of-way line a distance of 42.82 feet; thence leaving said right-of-way line, North 4 deg. 43 min. 16 sec. East a distance of 192.40 feet to a point on a curve to the left having a radius of 200.00 feet and subtended by a chord which bears North 87 deg. 16 min. 35 sec. East a chord distance of 51.83 feet; thence along the arc of said curve a distance of 51.97 feet to the end of said curve; thence North 79 deg. 49 min. 54 sec. East a distance of 31.05 feet to the beginning of a curve to the right having a radius of 150.00 feet and subtended by a chord which bears South 81 deg. 45 min. 36 sec. East a chord distance of 94.74 feet; thence along the arc of said curve a distance of 96.39 feet; thence South 63 deg. 21 min. 06 sec. East a distance of 59.73 feet to the point of beginning; being situated in Shelby County, Alabama.

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