

This instrument prepared by DAVID LEE JONES, attorney, 2309 Court St., P. O. Box 909, Guntersville, AL 35976, (205) 582-0588. Unless separately contracted, the draftsman makes no warranties as to the sufficiency of the interest conveyed.

STATE OF ALABAMA - SHELBY COUNTY

GENERAL WARRANTY DEED
ASSUMPTION

Inst # 1999-24874

06/14/1999-24874

10:39 AM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE

303 HHS 78.00

KNOW ALL MEN, in consideration of Ten and no/100 Dollars plus other good and valuable consideration, and the assumption of a 1/4 interest in the mortgage as enumerated hereinbelow, the receipt and sufficiency of which are hereby acknowledged, SHANE R. WILKS, a married person; CRAIG G. WILKS, a married person and ED GOODWIN, a married person, herein GRANTOR, does hereby grant, bargain, sell and convey unto DANIEL T. PASSEN, herein GRANTEE, heirs and/or assigns, AN UNDIVIDED 1/4 INTEREST IN AND TO the following described real property:

Part of the NW 1/4 of Section 6, Township 20 South, Range 2 West, Shelby County, Alabama, which is more particularly described as follows: Commence at the NW corner of the NW 1/4 of said Section; thence run East along the North line of said 1/4 Section for a distance of 369.52 feet; thence 90° 00' 00" right and run Southerly for a distance of 1,089.47 feet to a point on a traverse line of Old Bishop Creek shown on a survey of a 7.40 acre tract, dated July 11, 1978, made by John E. Norton, Ala. Reg. P.E. and L.S. No. 10287; thence 57 deg. 15' 38" left and run Southeasterly along said traverse line for a distance of 317.57 feet; thence 26 deg. 59' 56" left and continue along said traverse for a distance of 170.50 feet; thence 29 deg. 51' 32" left and run along said traverse for a distance of 99.28 feet; thence 54 deg. 36' 27" left and run along said traverse for a distance of 293.24 feet to a point of spiral of a curve on U.S. Highway 31 South; thence 05 deg. 40' 36" left to the right of way tangent of said Highway; thence reverse course and from said tangent extended Southerly turn an angle to the right of 05 deg. 40' 36" and run along said traverse line for a distance of 77.84 feet to the point of beginning; thence 88 deg. 22' 28" right and run Westerly for a distance of 203.00 feet; thence 86 deg. 21' 41" right and run Northerly for a distance of 100 feet; thence 93 deg. 39' 02" right and run Easterly for a distance 210.0 feet to a point on the West right of way line of U.S. Highway 31 South; thence 94 deg. 03' 48" right and run Southerly along said right of way line for a distance of 22.00 feet to said point of spiral curve; thence continue Southerly along said spiral curve and said right of way line for a distance of 78.00 feet; thence run Westerly for a distance of 5.02 feet to the point of beginning. Said parcel contains 20,883.87 square feet or 0.48 acres, more or less, according to the survey of Joseph A. Miller, Jr., Ala. Reg. No. 2875, dated July 15, 1993.

AND ALSO: An easement for access to a sewage pumping station, said easement being situated in part of the NW 1/4 of Section 6, Township 20 South, Range 2 West, Shelby County, Alabama, and being more particularly described as follows: Commence at the NW corner of the NW 1/4 of said section; thence run East along the North line of said 1/4 section for a distance of 369.52 feet; thence 90 deg. 00' 00" right and run southerly for a distance of 1,089.47 feet to a point on the traverse line of Old Bishop Creek shown on a survey of a 7.40 acre tract, dated July 11, 1978, made by John E. Norton, Ala. Reg. P.E. and L.S. No. 10287; thence 57 deg. 15' 38" left and run Southeasterly along said traverse line for a distance of 317.57 feet; thence 26 deg. 59' 56" left and continue along said traverse for a distance of 170.50 feet; thence 29 deg. 51' 32" left and run along said traverse for a distance of 99.28 feet; thence 54 deg. 36' 27" left and run along said traverse for a distance of 293.24 feet to a point of spiral of a curve on U.S. Highway 31 South; thence 05 deg. 40' 36" left to the right of way tangent from said Highway; thence reverse course and from said tangent extended Southerly turn an angle to the right of 05 deg. 40' 36" and run along said traverse line for a distance of 77.84 feet to the point of beginning; thence 88 deg. 22' 28" right and run Westerly for a distance of 12.28 feet; thence run Southerly for a distance of 6.00 feet; thence run Easterly for a distance of 17.30 feet to a point on said right of way line; thence run North along said right of way line for a distance of 6.00 feet; thence run Westerly for a distance of 5.02 feet to the point of beginning, according to the survey of Miller, Triplett & Miller Engineers, Inc. (kh99\12684)

The GRANTORS state that the above property does not constitute a part of their homestead.

This conveyance, however, is subject to the following:

A. Ad valorem taxes due October 1, 1999, which the GRANTEE agrees to pay.

B. Any valid adverse title as to minerals, oil or mining rights, easements or rights-of-way, covenants running with the land, encroachments or other matters or defects shown by a survey of the property herein conveyed.

C. Subject to an easement for sanitary sewer, and also the terms and conditions pertaining thereto as set out in Agreement recorded in Instrument No. 1993-785 and supplemented in Instrument #1993-35727.

D. Subject to right of way to Alabama Power Company of record in Deed Book 101, Page 506.

E. Subject to permit to Postal Telegraph Cable Company of record in Deed Book 80, Page 37.

F. SUBJECT TO THAT CERTAIN MORTGAGE BY THE GRANTORS HEREIN IN FAVOR OF THE COLONIAL BANK OF NORTHERN REGION, NOW COLONIAL BANK, RECORDED IN INSTRUMENT #1993-35730, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA, TOGETHER WITH THE NOTE SECURED THEREBY. THE GRANTEE DOES HEREBY AGREE TO FULLY PERFORM ALL OF THE COVENANTS AND OBLIGATIONS IN SAID NOTE AND MORTGAGE AS IF ONE THE ORIGINAL MORTGAGORS THEREIN AND FURTHER, THE GRANTEE JOINS IN THE EXECUTION OF THIS DEED TO SIGNIFY HIS ACCEPTANCE OF THE SAME.

Together with all and singular the tenements, hereditaments, rights, privileges and appurtenances thereunto belonging, or in anywise appertaining.

TO HAVE AND TO HOLD unto the GRANTEE, heirs and/or assigns forever.

The GRANTOR, for itself and its heirs covenant to the GRANTEE, heirs and/or assigns, that the GRANTOR is lawfully seized in fee simple of the property conveyed herein; that the property is free from all encumbrances, unless otherwise noted above; that the GRANTOR has a good right to sell and convey the same and the GRANTOR will warrant and defend the same to the GRANTEE, heirs and/or assigns, against the lawful claims of all persons.

IN WITNESS WHEREOF, the GRANTOR has hereunto set their hand/s and seal/s on this the 4 day of June, 1999.

Shane R. Wilks
SHANE R. WILKS

Craig G. Wilks
CRAIG G. WILKS

Ed Goodwin
ED GOODWIN

Daniel T. Passen
DANIEL T. PASSEN

STATE OF ALABAMA

ACKNOWLEDGEMENT FOR INDIVIDUAL

MARSHALL COUNTY

I, the undersigned, hereby certify that SHANE R. WILKS; CRAIG G. WILKS; ED GOODWIN; AND DANIEL T. PASSEN, whose name is/are signed to the foregoing, and who is/are known to me, acknowledged before me on this day that, being informed of the contents of the same, he/she/they executed the same voluntarily on the day the same bears date.

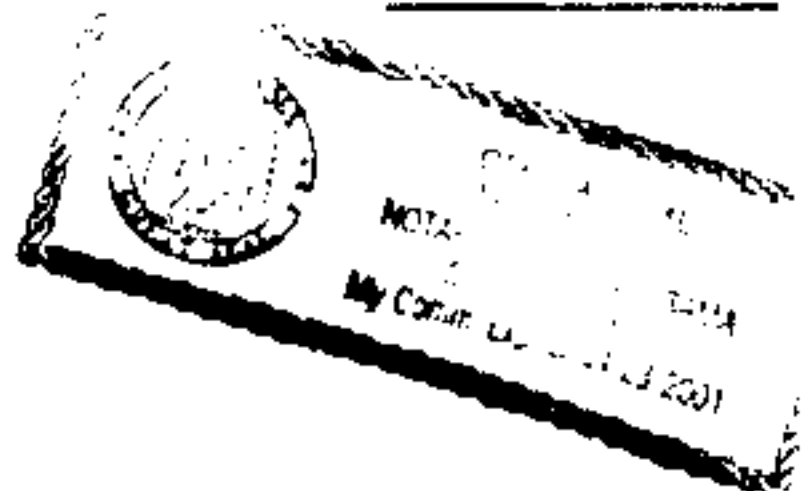
GIVEN under my hand on this the 4 day of June, 1999.

[Signature]
NOTARY PUBLIC
MY COMMISSION EXPIRES _____

TAX STATEMENTS FOR REAL PROPERTY

SHOULD BE SENT TO GRANTEE AT:

Address: 2308 Pelham Parkway
Pelham AL 35124



Inst # 1999-24874

06/14/1999-24874
10:39 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 NMS 78.00