

This Instrument was prepared by:

R. Shan Paden
PADEN & PADEN
5 Riverchase Ridge, Suite 100
Birmingham, AL 35244

Send Tax Notice to:

James R. Hogan, Jr.
4542 Old Caldwell Road
Birmingham, AL 35242

STATE OF ALABAMA)

COUNTY OF SHELBY)

JOINT TENANCY WITH RIGHT OF SURVIVORSHIP WARRANTY DEED

Know All Men by These Presents: That, Whereas, WILLIE MAE HOGAN, departed this life testate; and

Whereas, the Last Will and Testament of WILLIE MAE HOGAN, named JAMES ROGER HOGAN AND JANET HOGAN HAMER as the Executors of the Estate; and

Whereas, JAMES ROGER HOGAN AND JANET HOGAN HAMER were granted Letters Testamentary as Executors of the Estate of WILLIE MAE HOGAN, by the Judge of Probate of Shelby County, Alabama, as shown by the records in Probate Case No. 37-272, and

Now, Therefore, in consideration of the Premises, and the sum of ONE HUNDRED FORTY-FIVE THOUSAND AND NO/100 (\$145,000.00) DOLLARS, cash in hand paid to the undersigned, namely: JAMES ROGER HOGAN AND JANET HOGAN HAMER as Executors of the Will and Estate of WILLIE MAE HOGAN, deceased, the receipt of which is hereby acknowledged, the undersigned, in their capacity as Executors of the Estate of WILLIE MAE HOGAN, does by these presents, grant, bargain, sell and convey unto JAMES R. HOGAN, JR. and wife, AMY A. HOGAN (GRANTEES), as joint tenants, with right of survivorship, the following described real estate, situated in SHELBY County, Alabama, to-wit:

A PART OF THE SW 1/4 OF NW 1/4 OF SECTION 3, TOWNSHIP 19 SOUTH, OF RANGE 2 WEST, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE SE CORNER OF SAID 1/4-1/4 SECTION; THENCE WEST ALONG THE SOUTH LINE OF SAME A DISTANCE OF 365.14 FEET; THENCE 98 DEGREES, 09 MINUTES TO THE RIGHT IN A NORTHEASTERLY DIRECTION A DISTANCE OF 684.32 FEET TO THE POINT OF BEGINNING; THENCE 98 DEGREES, 17 MINUTES TO THE RIGHT IN A SOUTHEASTERLY DIRECTION A DISTANCE OF 238.90 FEET TO THE WESTERLY RIGHT OF WAY LINE OF THE OLD CALDWELL MILL ROAD; THENCE 90 DEGREES, 40 MINUTES TO THE LEFT IN A NORTHEASTERLY DIRECTION ALONG SAID RIGHT OF WAY A DISTANCE OF 8.0 FEET TO THE POINT OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 13 DEGREES, 52 MINUTES A RADIUS OF 446.50 FEET; THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 105.41 FEET TO THE POINT OF TANGENT; THENCE ALONG SAID TANGENT A DISTANCE OF 35.0 FEET TO THE POINT OF CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 14 DEGREES, 18 MINUTES, 30 SECONDS A RADIUS OF 452.92 FEET; THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 123.22 FEET; THENCE 104 DEGREES, 36 MINUTES TO THE LEFT OF THE TANGENT OF SAID CURVE IN A WESTERLY DIRECTION A DISTANCE OF 311.61 FEET; THENCE 82 DEGREES, 14 MINUTES, 30 SECONDS TO THE LEFT IN A SOUTHWESTERLY DIRECTION A DISTANCE OF 188.00 FEET TO THE POINT OF BEGINNING.

MINERAL AND MINING RIGHTS EXCEPTED.

Inst # 1999-33176

08/09/1999-33176
08:45 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
JRS CLK 38.00

SUBJECT TO:

1. Subject to the taxes for the year beginning October 1, 1998 which constitutes a lien but are not yet due and payable until October 1, 1999.
2. Less and except any part of subject property lying within any road right-of-way.
3. Restrictions and covenants appearing of record in Volume 314, page 149.
4. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto as recorded in Volume 314, Page 149.

WILLIE MAE HOGAN IS THE SURVIVING GRANTEE OF DEED RECORDED IN DEED VOLUME 314, PAGE 149. THE OTHER GRANTEE, WILTON H. HOGAN, SR. HAVING DIED ON OR ABOUT THE 25TH DAY OF NOVEMBER, 1987.

\$128,750.00 of the consideration paid herein was provided by a purchase money mortgage closed simultaneously herewith.

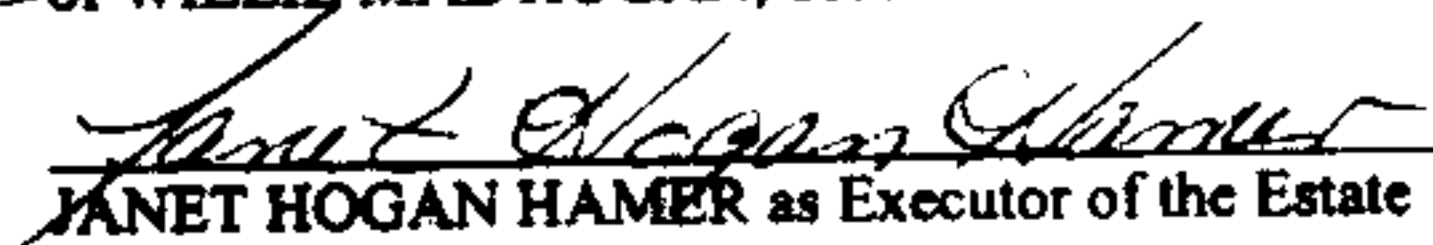
TO HAVE AND TO HOLD unto JAMES R. HOGAN, JR. and wife, AMY A. HOGAN, as joint tenants, with right of survivorship, their heirs and assigns, forever; it being the intention of the parties to this conveyance, that (unless the joint tenancy hereby created is severed or terminated during the joint lives 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 we do for ourselves and for our heirs, executors, and administrators covenant with the said GRANTEES, their heirs and assigns, that we are lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that we have a good right to sell and convey the same as aforesaid; that we will and our 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.

It is understood and agreed that wherever in this instrument the singular number is used, it applies to the plural if and when necessary and that when the plural is used, the plural likewise applies to the singular if and when necessary.

In Witness Whereof, the undersigned, JAMES ROGER HOGAN and JANET HOGAN HAMER, in their capacity as Executors of the Estate of WILLIE MAE HOGAN, deceased, has hereunto subscribed his name and seal, on this the 23rd day of July, 1999.


JAMES ROGER HOGAN as Executor of the Estate
of WILLIE MAE HOGAN, deceased


JANET HOGAN HAMER as Executor of the Estate
of WILLIE MAE HOGAN, deceased

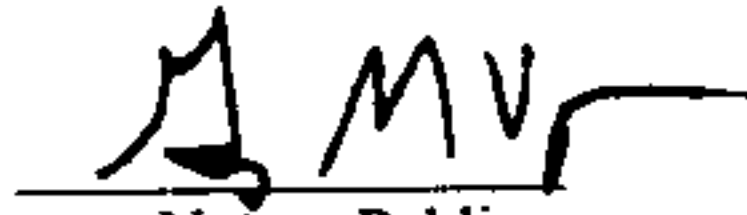
STATE OF ALABAMA)

COUNTY OF SHELBY)

ACKNOWLEDGMENT

I, THE UNDERSIGNED, a Notary Public, in and for said County, in said State, hereby certify that JAMES ROGER HOGAN, whose name as Executor of the Estate of WILLIE MAE HOGAN, Deceased, 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 Executor executed the same voluntarily on the day the same bears date.

Given under my hand this the 23RD day of JULY, 1999.


Notary Public

My commission expires: 9.29.02

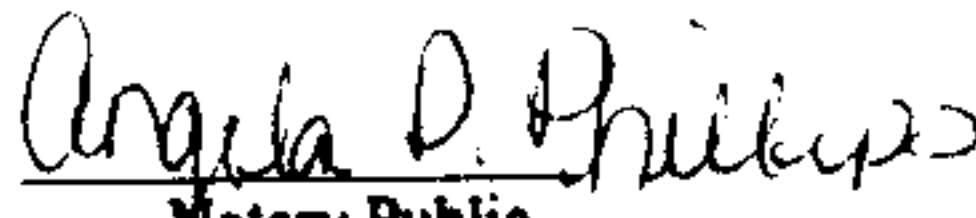
STATE OF ALABAMA)

COUNTY OF SHELBY)

ACKNOWLEDGMENT

I, THE UNDERSIGNED, a Notary Public, in and for said County, in said State, hereby certify that JANET HOGAN HAMER, whose name as Executor of the Estate of WILLIE MAE HOGAN, Deceased, 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 she, in her capacity as such Executor executed the same voluntarily on the day the same bears date.

Given under my hand this the 23RD day of JULY, 1999.


Notary Public

My commission expires: 01/16/02

Inst • 1999-33176

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08/09/1999-33176
08:45 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
000 CEN 30.00