

THIS INSTRUMENT PREPARED BY:

James E. Roberts
P. O. Box 370004
Birmingham, Alabama 35237

Send Tax Notice To:

James E. Roberts and ~~James E. Roberts~~
P.O. Box 370004
Birmingham, AL 35237

WARRANTY DEED

09/17/2001-40005
08:42 AM CERTIFIED

STATE OF ALABAMA)
JEFFERSON COUNTY)

KNOWN ALL MEN BY THESE PRESENTS:

SHELBY COUNTY JUDGE OF PROBATE
001 CH 17.00

That in consideration of Five Thousand Six Hundred and no/100 Dollars (\$5,600.00), love and affection, and other good and valuable consideration to the undersigned Grantor, in hand paid by the Grantee herein, the receipt whereof is acknowledged, I, **Preston Gardner, a married man**, (herein referred to as Grantor), grant, bargain, sell and convey unto, **James E. Roberts and James Mark Clayton, as joint tenants in common**, (herein referred to as Grantees), the following described real estate, situated in Shelby County, Alabama, to-wit:

Commence at the Northwest corner of the Northeast 1/4 of the Northeast 1/4 of Section 33, Township 17 South, Range 1 East, at an angle iron locally accepted as the corner, the point of beginning and run South 45 degrees 08 minutes 59 seconds East near the existing fence line 570.09 feet to a 1 inch crimped pipe corner; thence South 45 degrees 04 minutes 54 seconds West 108.89 feet to a 5/8 inch rebar corner; thence North 89 degrees 33 minutes 27 seconds West 210.56 feet to a set 1/2 inch rebar corner; thence South 0 degrees 16 minutes 46 seconds West 210.14 feet to a found 5/8 inch rebar corner; thence North 89 degrees 39 minutes 33 seconds West 115.42 feet to an "X" mark in a stone corner along the Westerly 1/4, 1/4 line; thence North 0 degrees 00 minutes 18 seconds West 686.77 feet to the point of beginning, being a part of the Northeast 1/4 of the Northeast 1/4 of Section 33, Township 17 South, Range 1 East, Shelby County, Alabama.

ALSO an access and utility easement, 30 feet in width, more particularly described as follows: Commence at the Northwest corner of the Northeast 1/4 of the Northeast 1/4 of Section 33, Township 17 South, Range 1 East, at an angle iron locally accepted as the corner and run South 0 degrees 00 minutes 18 seconds East along the 1/4, 1/4 line 686.77 feet to an "X" mark in a stone corner; thence continue South 0 degrees 01 minutes 31 seconds East 310.46 feet to the Northwest end of Hilltop Road; thence along the Westerly boundary of the easement herein described the following courses: North 0 degrees 01 minutes 31 seconds West 138.95 feet, North 45 degrees 36 minutes 13 seconds East 118.85 feet, North 0 degrees 16 minutes 46 seconds East 87.86 feet to the Southerly boundary of the property heretofore described; thence South 89 degrees 39 minutes 33 seconds East along the South boundary line 30.00 feet; thence along the Easterly boundary of the easement herein described the following courses: South 0 degrees 16 minutes 46 seconds West 100.35 feet, South 45 degrees 36 minutes 13 seconds West 118.75 feet, South 0 minutes 01 seconds 31 seconds East 126.33 feet to the Northerly end Hilltop Road, thence South 89 degrees 58 minutes 29 seconds West 30.00 feet to the point of beginning.

Mining and mineral rights excepted.

Subject to any and all easements and restrictions of record.

The subject property is not the homestead of the Grantor or his spouse.

TO HAVE AND TO HOLD to the said Grantees, their heirs and assigns forever.

And I do for myself and for my heirs, executors, and administrators covenant with the said GRANTEES, their heirs and assigns, that I am lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that I have a good right to sell and convey the same as aforesaid; that I will and my 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.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this the 28th day of Aug., 2001.

Preston Gardner
Preston Gardner

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, a notary public in and for said county in said state, hereby certify that Preston Gardner whose name is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 28th day of August, 2001.

Mary Christina Eiano
Notary Public [SEAL]

My commission expires:

NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: July 28, 2003
BONDED THRU NOTARY PUBLIC UNDERWRITERS