

This Instrument Prepared By:
James F. Burford, III
Attorney at Law
1318 Alford Avenue Suite 101
Birmingham, Alabama 35226

Send Tax Notice To:
JAMES FLEMING
64 RED STICK RD.
PELHAM, AL.
35724

Inst # 2001-44360

WARRANTY DEED

STATE OF ALABAMA)
SHELBY COUNTY)

10/12/2001-44360
01:32 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 CH

KNOW ALL MEN BY THESE PRESENTS: That in consideration of Sixty Thousand and No/100 Dollars (\$60,000.00), to the undersigned Grantor (whether one or more), in hand paid by the Grantee herein, the receipt whereof is acknowledged, CONNOR FARMER a married man, herein referred to as Grantor, whether one or more), grant, bargain, sell and convey unto JAMES FLEMING, (herein referred to as Grantee, whether one or more), the following described real estate, situated in Shelby County, Alabama, to-wit:

Described on Exhibit A attached hereto and incorporated by reference herein.

SUBJECT TO: (1) Taxes due in the year 2002 and thereafter; (2) Any current use assessment of the property conveyed; (3) Easements, restrictions, and rights-of-way of record; (4) Portions of the Property being located in a flood plain; (5) Mineral and mining rights not owned by the Grantor; (6) Riparian rights if any in and to the use of Waxahatchee Creek.

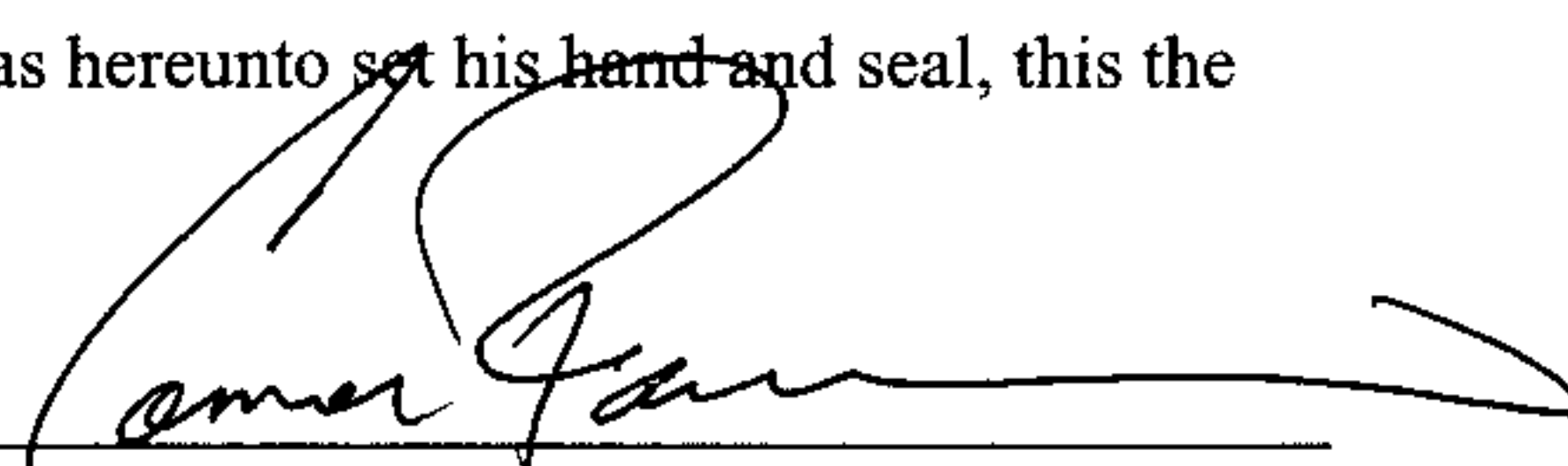
The Property conveyed herein is not the homestead of Grantor or his spouse.

This conveyance is specifically subject to a potential boundary line dispute concerning a fence located within the north boundary of the Property conveyed. In conjunction therewith, Grantor herein specifically assigns to Grantee, his successors and assigns that certain agreement contained in Deed from Westerbuilt Realty, Inc., to Grantor herein concerning such boundary line dispute. In the event Grantee is unable to obtain insured title to such disputed property through the assignment contained herein, Grantor shall pay to Grantee up to \$5,333.00 per acre lost, which sums shall bear no interest and the payment of which shall discharge Grantor from any warranty claims because of such disputed property. The said \$5,333.00 shall specifically include any funds obtained from Westerbuilt Realty, Inc., by virtue of the assignment contained herein, that is, should Grantee receive \$3,000.00 per acre of disputed property from Westerbuilt Realty, Inc., Grantors exposure shall not exceed \$2,333.00 per acre lost.

TO HAVE AND TO HOLD to the said Grantee, its successors and assigns forever.

And we do for ourselves and for our heirs, executors and administrators, covenant with said Grantee, their successors and assigns, that we are lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise stated 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 Grantee, his successors and assigns forever, against the lawful claims of all persons.

9 **IN WITNESS WHEREOF**, the undersigned has hereunto set his hand and seal, this the day of OCTOBER, 2001.


Connor Farmer

STATE OF AL)
Jaffer COUNTY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Connor Farmer, 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 foregoing instrument he executed the same voluntarily on the day the same bears date.

Given under my hand and seal this 9 day of OCTOBER, 2001.

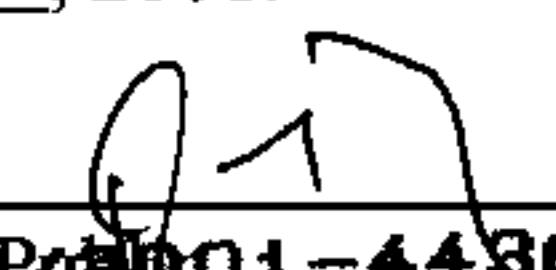

Notary Public 1001-44360
01:32 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 CH 74.00

EXHIBIT A
FARMER TO FLEMING

A parcel of land situated in the SE 1/4 of the SW 1/4 of Section 15, Township 22 South, Range 1 West, and the NW 1/4 of the NE 1/4 of Section 22, Township 22 South, Range 1 West in Shelby County, Alabama and being more particularly described as follows:

Commence at the SW corner of the SW 1/4 of the SE 1/4 of Section 15, Township 22 South, Range 1 West, said point being the point of beginning; thence S 01 deg. 31 min. 05 sec. W and along section line, a distance of 351.60 feet to a point, said point lying on the Northerly right of way line of County Highway #42 (80 feet right of way) said point also being the beginning of a non tangent curve to the left having a radius of 1209.04 feet a central angle of 14 deg. 38 min. 36 sec. and subtended by a chord which bears N 65 deg. 11 min. 58 sec. E and a chord distance of 308.16 feet; thence along the arc of said curve and said right of way a distance of 309.00 feet; thence N 59 deg. 28 min. 14 sec. E and along said right of way a distance of 437.45 feet; thence N 02 deg. 43 min. 08 sec. E and leaving said right of way a distance of 534.09 feet; thence N 89 deg. 13 min. 10 sec. W a distance of 1039.24 feet to a point, said point being the approximate center of Waxahatchee Creek; thence S 53 deg. 40 min. 26 sec. E and along said creek, a distance of 215.32 feet; thence S 49 deg. 34 min. 17 sec. E and along said creek, a distance of 647.79 feet; thence S 90 deg. 00 min. 00 sec. W and leaving said creek a distance of 300.00 feet to the point of beginning. Being situated in Shelby County, Alabama.

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