

THE PREPARER OF THIS DEED MAKES NO REPRESENTATION AS TO THE STATUS OF THE TITLE OF THE PROPERTY DESCRIBED HEREIN, OR AS TO THE ACCURACY OF THE DESCRIPTION CONTAINED IN PREVIOUSLY FILED DEEDS

This instrument was prepared by:
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Birmingham, Alabama 35223

Send Tax Notice To:
James E. and Ruth S. Kelly
1747 Patton Chapel Road
Hoover, Alabama 35226

WARRANTY DEED

\$10,000


20020808000373690 Pg 1/2 24.00
Shelby Cnty Judge of Probate, AL
08/08/2002 11:16:00 FILED/CERTIFIED

STATE OF ALABAMA)
SHELBY COUNTY)

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION to the undersigned grantor (whether one or more), in hand paid by the grantee herein, the receipt whereof is acknowledged, I or we,

JAMES E. KELLY AND WIFE, RUTH S. KELLY

(herein referred to as Grantor, whether one or more), grant, bargain, sell and convey unto

JAMES E. KELLY AND RUTH S. KELLY, TRUSTEES, OR THEIR SUCCESSORS IN TRUST, UNDER THE KELLY LIVING TRUST, DATED FEBRUARY 7, 2002 AND ANY AMENDMENTS THERETO

(herein referred to as Grantee, whether one or more), the following described real estate, situated in Shelby County, Alabama, to-wit:

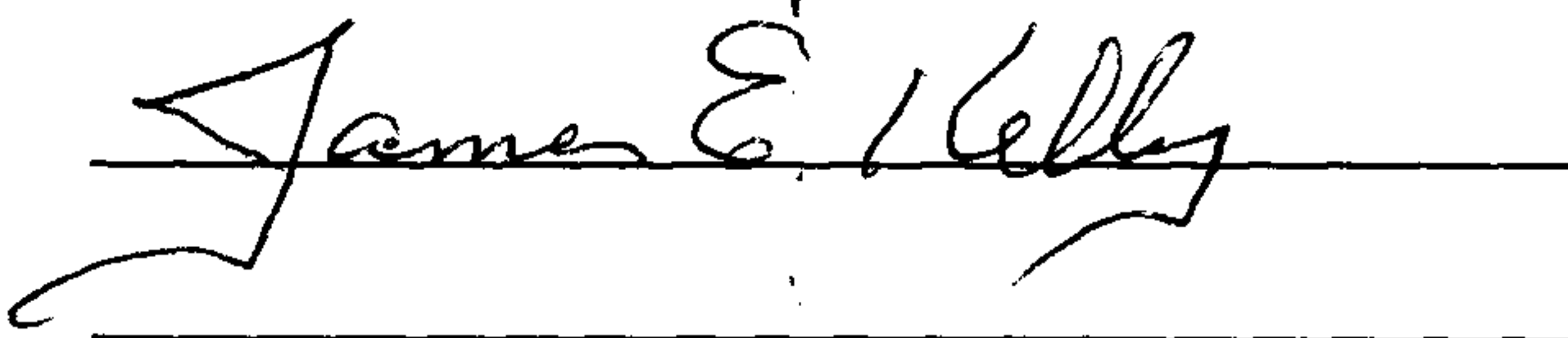
See Exhibit "A" attached for the legal description

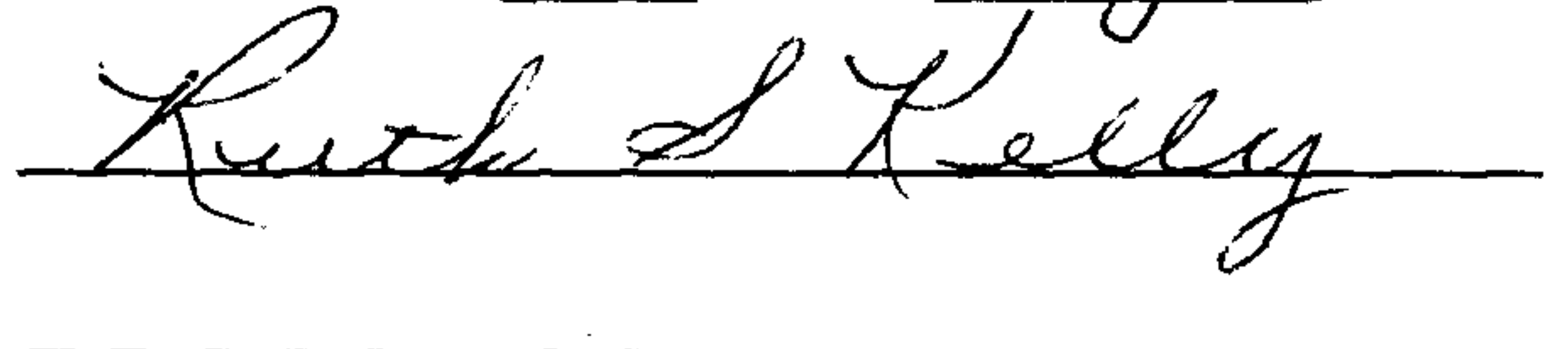
TO HAVE AND TO HOLD to the said grantee, his, her or their successors and assigns forever.

THE GRANTOR herein grants full power and authority by this deed to the Trustee(s), and either of them, and all successor trustee(s) to protect, conserve, sell, lease, pledge, mortgage, borrow against, encumber, convey, transfer or otherwise manage and dispose of all or any portion of the property herein described, or any interest therein, without the consent or approval of any other party and without further proof of such authority; no person or entity paying money to or delivering property to any Trustee or successor trustee shall be required to see to its application; and all persons or entities relying in good faith on this deed and the powers contained herein regarding the Trustee(s) (or successor trustee(s)) and their powers over the property herein conveyed shall be held harmless from any resulting loss or liability from such good faith reliance.

And I (we) do for myself (ourselves) and for my (our) heirs, executors, and administrators covenant with the said GRANTEE, his, her or their successors and assigns, that I am (we are) lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that I (we) have a good right to sell and convey the same as aforesaid; that I (we) will and my (our) heirs, executors and administrators shall warrant and defend the same to the said GRANTEE, his, her or their successors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, I have hereunto set my hand and seal, this 6 day of Aug., 2002.



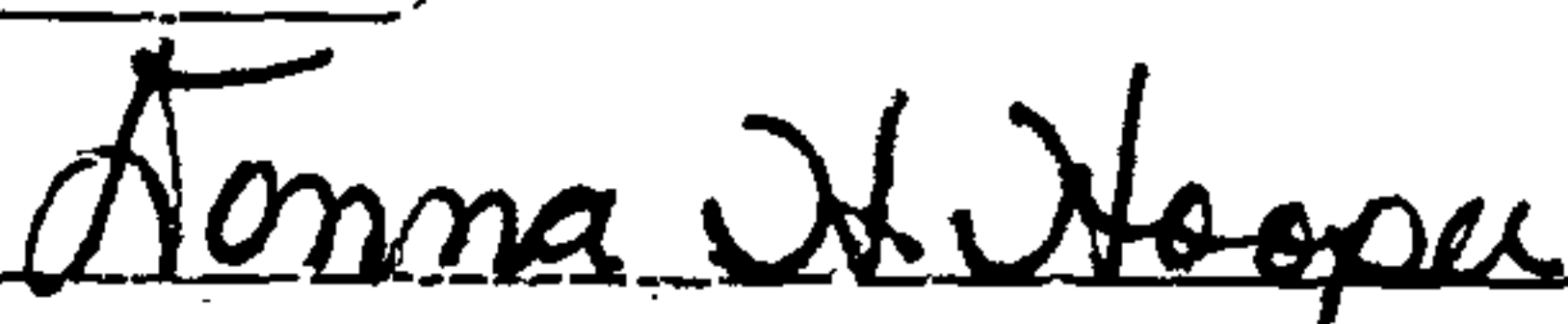


STATE OF ALABAMA)
JEFFERSON COUNTY)

GENERAL ACKNOWLEDGEMENT:

I, DONNA H. HOOPER, a Notary Public in and for said County, in said State, hereby certify that James E. Kelly and Ruth S. Kelly, whose name(s) is/are signed to the foregoing conveyance, and who is/are known to me, acknowledged before me on this date, that, being informed of the contents of the conveyance has/have executed the same voluntarily on the day the same bears date.

Given my hand and official seal this 6TH day of AUGUST, 2002.


Notary Public

My Commission Expires: 7/13/06

EXHIBIT "A"

Parcel One: Property described as taken from a map of the Walker Lands Subdivision, Section 13, Township 20, Range 3 West, surveyed by G. B. Pickett, and as recorded in Deed Book 104, Page 94, Shelby County Probate Office, February 3, 1938, more particularly described as follows: Begin at a point where North boundary line of Tract E intersects U. S. Highway #31 ROW; thence run along North boundary line Easterly for a distance of 730 ' ; thence turn an angle of 90° right and run a distance of 300 ' ; thence turn an angle of 90° right and run parallel to North boundary line of said lot or Tract and run to the East R.O.W. line of U.S. Highway #31; thence turn right and continue along the Eastern R.O.W. line to the point of beginning. Situated in Shelby County, Alabama.

Parcel Two: Commence at the Southwest corner of the SW 1/4 of the NW 1/4 of Section 13, Township 20 South, Range 3 West, Shelby County, Alabama; thence run East along the South line of said quarter-quarter for a distance of 552.40 ' to a point on the East right of way line of U. S. Highway No. 31; thence run in a North and Northeasterly direction along the East right of way line of said U. S. Highway No. 31 for a distance of 970.48 ' ; thence turn an angle to the right of 63° 26' and run in an Easterly direction for a distance of 367.24 ' ; thence turn an angle to the left of 90° and run in a Northerly direction for a distance of 130.15 ' ; thence turn an angle to the right of 90° 00' and run in an Easterly direction for a distance of 577.44 ' to the point of beginning; thence turn an angle to the left of 90° 00' and run in a Northerly direction for a distance of 300 ' ; thence turn an angle to the right of 90° 00' and run in an Easterly direction for a distance of 289.68 ' ; thence turn an angle to the right of 80° 00' and run in a Southeasterly direction for a distance of 263.14 ' ; thence turn an angle to the right of 21° 00' and run in a Southwesterly direction for a distance of 41.62 ' ; thence turn an angle to the right of 79° and run in a Westerly direction for a distance of 327.43 ' to the point of beginning. Situated in Shelby County, Alabama.

LESS AND EXCEPT: A tract of land in the SW 1/4 of NW 1/4 or Section 13, Township 20 South, Range 3 West described as follows:

Commence at the southwest corner of said quarter-quarter section; thence run east along the south line for a distance of 552.40 ' to a point on the east right-of-way line of U.S. Highway #31; thence run in a northeasterly direction along said right-of-way for a distance of 1451.48' to an iron pin found; thence turn an angle to the right of 63° 21' 26" and run in an easterly direction for a distance of 392.23' to an iron pin set at the point of beginning; thence continue along last stated course for a distance of 336.88' to an iron pin found at the northwest corner of old Parcel 2, as recorded in Deed 21, Page 23, in the Office of the Judge of Probate, Shelby County, Alabama; thence turn an angle to the right of 00° 01 minute 34" and run in an easterly direction for a distance of 289.92' to an iron pin found; thence turn an angle to the right of 80° 00' 46" and run in a southeasterly direction for a distance of 263.25' to an iron pin found; thence turn an angle to the right of 22° 11' 32" and run in a southwesterly direction for a distance of 40.96' to an iron pin found; thence turn an angle to the right of 78° 41' 44" and run in a westerly direction for a distance of 327.26' to an iron pin found at the southwest corner of said old Parcel 2; thence turn an angle to the right of 00° 04' 58" and run in a westerly direction for a distance of 327.46' to an iron pin set; thence turn an angle to the right of 90° 03' 32" and run in a northerly direction for a distance of 299.96' to the point of beginning; being situated in Shelby County, Alabama.

ALSO, LESS AND EXCEPT: A right-of-way for ingress, egress, and utilities in the south 1/2 of the NW 1/4 of Section 13, Township 20 South, Range 3 West, Shelby County, Alabama; described as follows:

Begin at the Northeast corner of the W 1/4 of the NW 1/4 of Sec. 13, thence run West along the north 1/4 - 1/4 line 92.44', thence turn left 00° 03' 49" and run south 5.66', thence turn right 90° 00' 00" to the tangent of a counterclockwise curve having a delta angle of 14° 58' 34" and a radius of 328.32' and run westerly along the arc of said curve 85.82', thence continue tangent to said curve 18.58' to the point of a clockwise curve having a delta angle of 39° 40' 57" and a radius of 114.57', thence run along the arc of said curve 79.35' to a point on southeast right-of-way of U.S. Highway #31, thence turn left 90° 00' 00" from tangent and run southwest along said highway right-of-way 24.00', thence turn left 90° 00' 00" to the tangent and run southwest along highway right-of-way 24.00', thence turn left 90° 00' 00" to the tangent of a counterclockwise curve having a delta angle of 39° 40' 57" and a radius of 138.57' and run westerly along the arc of said curve 95.97', thence continue tangent to said curve 18.56' to the point of a clockwise curve having a delta angle of 14° 58' 34" and a radius of 304.32', thence run easterly along the arc of said curve 79.57'; thence continue easterly and tangent to said curve 217.11', thence turn left 91° 52' 05" and run north 37.00' to a point on the north line of the SE 1/4 of the NW 1/4 of Section 13, thence turn left 90° 04' 06" and run west along said 1/4 - 1/4 line 123.55' to the point of beginning; containing 0.27 acres. According to the survey of Amos Cory, P. L. E., 10550, dated March 6, 1989.

GRANTORS also convey a non-exclusive easement for reasonable use regarding access and service to the property lying immediately to the west of and adjacent to the above described and conveyed property, said easement is more particularly described as follows:

Commence at the point of beginning as above described and proceed in an easterly direction along the property line for a distance of 20'; thence turn an angle to the right of 90° 04' 06" and run in a southerly direction for a distance of 299.56', more or less, to the southern boundary of the subject property, thence turn an angle to the right and proceed along the southern boundary of the property conveyed herein for a distance of 20' to the southwestern corner of the property conveyed herein; thence turn an angle to the right of 89° 56' 28" and run in a northerly direction along the western boundary of the property conveyed herein for a distance of 299.95', to the point of beginning.

This property subject to taxes, restrictions, rights-of-way, exceptions, conditions and easements of record.