

THIS INSTRUMENT PREPARED BY:

Courtney Mason & Associates, P.C.  
1904 Indian Lake Drive, Suite 100  
Birmingham, Alabama 35244  
STATE OF ALABAMA )

GRANTEE'S ADDRESS:  
Mack N. Barnes, III  
1737 Highway 331  
Columbiana, Alabama 35051

JOINT SURVIVORSHIP DEED

COUNTY OF SHELBY )



20020820000396640 Pg 1/3 112.00  
Shelby Cnty Judge of Probate, AL  
08/20/2002 14:47:00 FILED/CERTIFIED

KNOW ALL MEN BY THESE PRESENTS: That, for and in consideration of Three Hundred Thirty-Five Thousand and 00/100 (\$335,000.00) DOLLARS, and other good and valuable consideration, this day in hand paid to the undersigned GRANTOR, **Randall H. Goggans, a married man** (hereinafter referred to as GRANTOR), the receipt whereof is hereby acknowledged, the GRANTOR does hereby give, grant, bargain, sell and convey unto the GRANTEE, **Mack N. Barnes, III and Nina G. Barnes, husband and wife**, (hereinafter referred to as GRANTEE), for and during their joint lives and upon the death of either, then to the survivor of them in fee simple, together with every contingent remainder and right of reversion, the following described Real Estate, lying and being in the County of SHELBY, State of Alabama, to-wit:

See attached Exhibit "A" for legal description.

Subject to existing easements, current taxes, restrictions and covenants, set-back lines and rights of way, if any, of record.

\$240,000.00 of the above-recited purchase price was paid from a mortgage loan closed simultaneously herewith.

*2446* This property is not homestead property of the grantor as defined by in the Code of Alabama.

TO HAVE AND TO HOLD, the tract or parcel of land above described together with all and singular the rights, privileges, tenements, appurtenances, and improvements unto the said GRANTEE, 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 GRANTEE 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 GRANTEE herein shall take as tenants in common, forever.

AND SAID GRANTOR, for said GRANTOR, GRANTOR'S heirs, successors, executors and administrators, covenants with GRANTEE, and with GRANTEE'S heirs and assigns, that GRANTOR are lawfully seized in fee simple of the said Real Estate; that said Real Estate is free and clear from all Liens and Encumbrances, except as hereinabove set forth, and except for taxes due for the current and subsequent years, and except for any Restrictions pertaining to the Real Estate of record in the Probate Office of said County; and that GRANTOR will, and GRANTOR'S heirs, executors and administrators shall, warrant and defend the same to said GRANTEE, and GRANTEE'S heirs and assigns, forever against the lawful claims of all persons.

IN WITNESS WHEREOF, said GRANTOR has hereunto set his hand and seal this the 16th day of August, 2002.

*[Signature]*  
Randall H. Goggans

STATE OF ALABAMA )

COUNTY OF SHELBY )

I, the undersigned, a Notary Public, in and for said County and State, hereby certify that Randall H. Goggans, a married man whose name 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 Instrument signed his name voluntarily on the day the same bears date.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this the 16th day of August, 2002.

*[Signature]*  
NOTARY PUBLIC

My Commission Expires: 3/5/03

COURTNEY H. MASON, JR.  
MY COMMISSION EXPIRES MARCH 5, 2003



Exhibit "A"

Parcel I:

A parcel of land situated in the NW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of Section 11, Township 21 South, Range 2 West, begin at the SW corner of the NW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of Section 11, Township 21 South, Range 2 West, thence South 89 deg. 52 min. 55 sec. East along the South line of said  $\frac{1}{4}$ - $\frac{1}{4}$  section a distance of 1339.81 feet; thence North 2 deg. 41 min. 9 sec. West along the East line of said  $\frac{1}{4}$ - $\frac{1}{4}$  section a distance of 503.59 feet (502.83 deed); thence North 89 deg. 52 min. 55 sec. West a distance of 1342.36 feet; thence South 2 deg. 58 min. 34 sec. East along the West line of said  $\frac{1}{4}$ - $\frac{1}{4}$  section a distance of 503.73 feet to the point of beginning.

Situated in Shelby County, Alabama.

Parcel II:

A parcel of land situated in the SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 2, Township 21 South, Range 2 West, begin at the SE corner of the SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 2, Township 21 South, Range 2 West, thence North 2 deg. 41 min. 9 sec. West a distance of 219.17 feet to a point on the easterly right of way of County Road No. 331; thence North 26 deg. 20 min. 12 sec. West a distance of 2.81 feet to a point being the beginning of a curve to the left having a radius of 260.00 feet a central angle of 16 deg. 14 min. 2 sec. and subtended by a chord which bears North 34 deg. 27 min. 13 sec. West a chord distance of 73.42 feet; thence along arc and said Right of Way a distance of 73.67 feet; thence North 42 deg. 34 min. 14 sec. West a distance of 93.12 feet; thence North 89 deg. 27 min. 21 sec. West and leaving said Right of Way a distance of 644.83 feet; thence South 2 deg. 41 min. 29 sec. East a distance of 349.81 (350.00 feet deed); thence South 89 deg. 26 min. 27 sec. East along the South line of said  $\frac{1}{4}$ - $\frac{1}{4}$  section a distance of 744.46 feet to the point of beginning.

Situated in Shelby County, Alabama.

Together with an ingress, egress, utility and drainage easement more particularly described as follows:

Commence at the SE corner of the SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 2, Township 21 South, Range 2 West; thence South 89 deg. 26 min. 27 sec. East along the south line of said section a distance of 42.69 feet; thence North 0 deg. 33 min. 33 sec. East a distance of 110.19 feet to a point lying on the easterly right of way line of County Road # 331, said point also being the point of beginning of a 30 foot Ingress, Egress, Utility and Drainage Easement lying parallel and each side of the following described center line. Beginning with a non-tangent curve to the right having a radius of 50.0 feet a central angle of 60 deg. 25 min. 47 sec. and subtended by a chord which bears North 52 deg. 06 min. 06 sec. West a chord distance of 50.32 feet; thence along arc and said centerline a distance of 52.73 feet; thence North 21 deg. 53 min. 13 sec. West a distance of 21.09 feet to a point being the beginning of a curve to the left having a radius of 75.00 feet, a central angle of 38 deg. 11 min. 50 sec. and subtended by a chord which bears North 40 deg. 59 min. 08 sec. West a chord distance of 49.08 feet; thence along arc and said centerline a distance of 50.00 feet; thence North 60 deg. 5 min. 2 sec. West a distance of 59.14 feet to a point being the beginning of a curve to the left having a radius of 25.00 feet, a central angle of 91 deg. 40 min. 24 sec. and subtended by a chord which bears South 74 deg. 04 min. 46 sec. West a chord distance of 35.87 feet; thence along arc and said centerline a distance of 40.00 feet to a point being the beginning of a reverse curve to the right having a radius of 50.00 feet; a central angle of 45 deg. 50 min. 12 sec. and subtended by a chord which bears South 51 deg. 09 min. 40 sec. West a chord distance of 38.94 feet; thence along arc and said centerline a distance of 40.00 feet to a point being the beginning of a reverse curve to the left having a radius of 75.00 feet, a central angle of 26 deg. 44 min. 17 sec. and subtended by a chord which bears South 60 deg. 42 min. 37 sec. West a chord distance of 34.68 feet; thence along arc and said centerline a distance of 35.00 feet; thence South 47 deg. 20 min. 29 sec. West a distance of 29.18 feet; thence South 51 deg. 20 min. 12 sec. West a distance of 85.80 feet; thence South 56 deg. 34 min. 10 sec. West a distance of 142.04 feet; thence South 50 deg. 35 min. 59 sec. West a distance of 51.80 feet; thence South 40 deg. 34 min. 55 sec. West a distance of 93.89 feet; thence South 37 deg. 50 min. 48 sec. West a distance of 153.41 feet; thence South 45 deg. 49 min. 24 sec. West a distance of 71.66 feet; thence South 46 deg. 06 min. 13 sec. West a distance of 57.50 feet; thence South 39 deg. 50 min. 59 sec. West a distance of 68.46 feet; thence South 49 deg. 03 min. 59 sec. West a distance of 127.20 feet to a point being the beginning of a curve to the left having a radius of 100.00 feet, a central angle of 37 deg. 14 min. 32 sec. and a chord which bears South 30 deg. 26 min. 43 sec. West a distance of 63.86 feet; thence along arc and said centerline a distance of 65.00 feet to a point being the beginning of a reverse curve to the right having a radius of 150.00 feet a central angle of 32 deg. 28 min. 03 sec. and subtended by a chord which bears South 28 deg. 03 min. 29 sec. West a chord distance of 83.87 feet; thence along arc and said centerline a distance of 85.00 feet; thence South 44 deg. 17 min. 31 sec. West a distance of 24.60 feet; thence South 51 deg. 51 min. 02 sec. West a distance of 181.25 feet to a point being the beginning of a curve to the left having a radius of 115.00 feet, a central angle of 51 deg. 57 min. 40 sec. and subtended by a chord which bears South 25 deg. 52 min. 12 sec. West a chord distance of 100.76 feet; thence along arc and said centerline a distance of 104.29 feet to a point to a point being the beginning of a reserve curve to the right having of 200.00 feet, a central angle of 12 deg. 30 min. 11 sec. and subtended by a chord which bears South 06 deg. 08 min. 27 sec. West a chord distance of 43.56 feet; thence along arc and said centerline a distance of 43.64 feet to the end of said 30 foot Ingress, Egress, Utility and Drainage Easement. All being situated in Shelby County, Alabama.

**Landscape Easement**

NS/mm  
The undersigned agrees to grant and convey to Randall H. Goggans ~~and assigns~~ a perpetual landscape easement for the purposes of planting and maintaining trees and shrubs on the following property to wit:

Begin at the SW corner of the NW1/4 of the NE 1/4 of Section 11, Township 21 South, Range 2 West and run Easterly along South line of said 1/4 1/4 Section a distance of 70 feet; thence turn North and run a distance of 25 feet to a point; thence run West to a point which intersects with the West line of said 1/4 1/4; thence run South along said West line of 1/4 1/4 Section to the point of beginning.

x Randall H. Goggans

MB  
Mack N. Barnes, III

Nina G. Barnes  
Nina G. Barnes

Sworn to and subscribed before me this 16th day of August, 2002.

[Signature]  
Notary Public

My Commission Expires: 2-26-03

PEGGY I. MURPHREE  
MY COMMISSION EXPIRES FEBRUARY 20, 2003