

This instrument was prepared by:
Thomas G. Amason III, Esq.
Balch & Bingham LLP
P. O. Box 306
Birmingham, Alabama 35201

SEND TAX NOTICE TO:
Gerald Dennis O'Brien
119 Oakview Lane
Helena, Alabama 35080

STATUTORY WARRANTY DEED

STATE OF ALABAMA)

COUNTY OF SHELBY)

4300

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of Ten and No/100 Dollars (\$10.00) and other valuable consideration to the undersigned grantor, in hand paid by the grantee herein, the receipt whereof is acknowledged, **Billy Joe McConathy**, a married individual (herein referred to as "Grantor"), grants, bargains, sells and conveys, subject to the matters set forth below, unto **Gerald Dennis O'Brien**, an individual (herein referred to as "Grantee"), the real estate situated in Shelby County, Alabama described on Exhibit A attached hereto and made a part hereof, together with all improvements and fixtures thereon and all easements and other appurtenances thereto (the "Property").

TO HAVE AND TO HOLD to the Grantee, his heirs, successors and assigns forever.

The Property is conveyed to the Grantee subject to the matters set forth on Exhibit B attached hereto and made a part hereof.

IN WITNESS WHEREOF, Grantor has hereunto caused this conveyance to be executed effective as of the 5th day of December, 2002.

GRANTOR:

Billy Joe McConathy
Billy Joe McConathy

Land Title

STATE OF ALABAMA)

COUNTY OF JEFFERSON)

I, *the undersigned*, a notary public in and for said county in said state, hereby certify that **Billy Joe McConathy**, 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 such instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 5th day of December, 2002.

Cynthia S. Beecher
Notary Public

[Notarial Seal]

My Commission Expires: *7/14/06*

EXHIBIT A

Description of Property

A part of the Southeast 3 of the Southwest 3 of Section 11, Township 21 South, Range 3 West, Shelby County, Alabama, more particularly described as follows:

Commence at the Southwest corner of Section 11, Township 21 South, Range 3 West, Shelby County, Alabama and run thence Easterly along the South line of said Section 11 a distance of 1,726.82 feet to a point; thence turn 70°45'20" left and run Northerly a distance of 208.85 feet to a point; thence turn 00°07'23" left and continue Northerly 124.85 feet to the point of beginning of the property being described; thence turn 84°35'22" left and run Westerly 210.00 feet to a point on the Easterly right of way line of Highway No. 119; thence turn 90°00'00" right and run Northerly along said right of way 210.00 feet to a point; thence turn 90°00'00" right Easterly 210.00 feet to a point; thence turn 90°00'00" right and run Southerly 210.00 feet to the point of beginning.

Being situated in Shelby County, Alabama.

LESS AND EXCEPT that portion of subject property conveyed to the State of Alabama in Instrument 2001-11301, in the Probate Office of Shelby County, Alabama.

EXHIBIT B

Title Exceptions

1. Any prior reservation or conveyance, together with release of damages, of minerals of every kind and character, including, but not limited to oil, gas, sand, and gravel, in, on, and under subject property.
2. Encroachments, overlaps, boundary line disputes or other matters which would be disclosed by an accurate surveyor or inspection of the premises.
3. General and special taxes or assessments for 2003 and subsequent years which are not yet due and payable.
4. Right of way to Plantation Pipeline Company, recorded in Deed Book 112, page 281, in the Probate Office of Shelby County, Alabama.
5. Easement to AT&T recorded in Book 213, Page 992, in the Probate Office of Shelby County, Alabama.
6. Right of way and construction agreements in favor of the City of Alabaster, recorded in Instrument 1999-30477, in the Probate Office of Shelby County, Alabama.