

THIS INSTRUMENT PREPARED BY:

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

Send Tax Notice To:

James E. Roberts and Mark Clayton
P.O. Box 430224
Birmingham, AL 35243

WARRANTY DEED (Without Survivorship)

STATE OF ALABAMA)
SHELBY COUNTY)

KNOWN ALL MEN BY THESE PRESENTS:

That in consideration of Four Hundred Fifty-three Thousand Nine Hundred Eighty and no/100 Dollars (\$453,980.00), and other good and valuable consideration to the undersigned Grantor, in hand paid by the Grantee herein, the receipt whereof is acknowledged,

The Estate of James L. Clayton, by its Co-Executors,

(herein referred to as Grantors), grant, bargain, sell and convey its one-half interest unto,

James E. Roberts and James Mark Clayton,

(herein referred to as Grantees), the following described real estate, situated in Shelby County, Alabama, to-wit:

All that part of E1/2-NE of Section 31 and the W1/2 NW1/4 of Section 32 all in Township 21 South, Range 2W, Shelby County, Alabama, lying south and west of the centerline of Shelby County Highway No. 12, except the south 30.00 feet for road right-of-way.

Less and except that certain tract of property conveyed to A.W. Kendrick in Shelby County Instrument 1993-16689.

The intent of Grantors is to convey all property owned by the Estate of James L. Clayton lying south and west of the centerline of Shelby County Hwy No. 12. At the time of the execution of this deed, there exists a controversy between the Grantees herein and Shelby County regarding the relocation of Shelby County Hwy. No. 12. Grantors assume no liability for the exact amount of acreage being conveyed hereunder. No warranties are therefore made by Grantors or Grantees as to the exact acreage contained in this conveyance. The purchase price is therefore a negotiated figure and not based on an acreage calculation.

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 Grantors do for themselves and for their heirs, executors, and administrators covenant with the said GRANTEES, their heirs and assigns, that they are lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that they have a good right to sell and convey the same as aforesaid; that they will and their 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, we have hereunto set our hand(s) and seal(s) this the 3rd day of March, 2003.



Tommy E. Turpin, Co-Executor of
the Estate of James L. Clayton



Elizabeth G. Clayton, Co-Executor
of the Estate of James L. Clayton

STATE OF ALABAMA)
SHELBY COUNTY)

I, the undersigned, a notary public in and for said county in said state, hereby certify that Tommy E. Turpin, whose name is signed to the foregoing instrument as Co-Executor of the Estate of James L. Clayton, 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 3rd day of March, 2003

Mary Christina Eans
Notary Public

[SEAL]

My commission expires: **NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: July 28, 2003
BOWEN TERRY NOTARY PUBLIC LICENSE NUMBER**

STATE OF ALABAMA)
SHELBY COUNTY)

I, the undersigned, a notary public in and for said county in said state, hereby certify that Elizabeth G. Clayton, whose name is signed to the foregoing instrument as Co-Executor of the Estate of James L. Clayton, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 5th day of March, 2003

Amelia K. Plott
Notary Public

[SEAL]

My commission expires: