

THIS INSTRUMENT PREPARED BY:

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

Send Tax Notice To:

James E. Roberts
P.O. Box 430224
Birmingham, Alabama 35243

WARRANTY DEED (Without Survivorship)



20030618000382950 Pg 1/2 54.00
Shelby Cnty Judge of Probate, AL
06/18/2003 13:20:00 FILED/CERTIFIED

STATE OF ALABAMA)
SHELBY COUNTY)

KNOWN ALL MEN BY THESE PRESENTS:

That in consideration of Forty Thousand and no/100 Dollars (\$40,000.00), and other good and valuable consideration to the undersigned Grantor, in hand paid by the Grantee herein, the receipt whereof is acknowledged, I,

Jerry E. McGaha, a single man

(herein referred to as Grantor), grant, bargain, sell and convey unto,

James E. Roberts,

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

See Legal attached as Exhibit A

Mining and mineral rights excepted.

Subject to any and all easements and restrictions of record.

Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto.

Right-of-way granted to Alabama Power Company recorded in Volume 131, Page 137; Volume 131, Page 158; Volume 131, Page 159; Volume 131, Page 388 and Volume 212, Page 576.
The subject property is not and never has been the homestead of the Grantor.

Grantor has conveyed a sixty foot easement for ingress, egress, and utilities unto Grantee. Such easement is non-exclusive for the benefit of Grantee, his heirs, and assigns forever. Grantor reserves use of such easement to himself, his heirs and assigns to access remaining properties owned by Grantor.

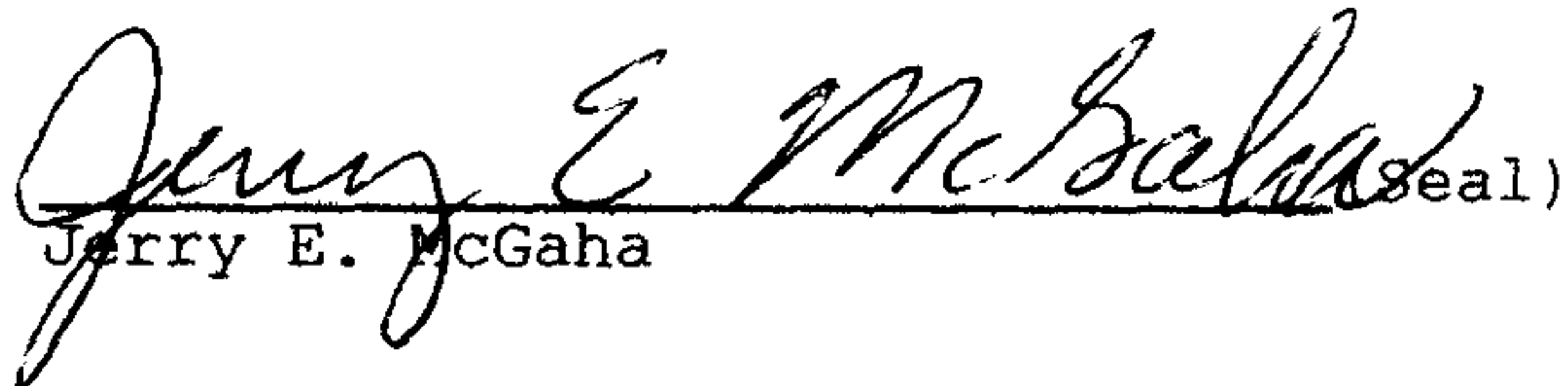
Grantor and Grantee agree and covenant as follows:

In consideration of mutual covenants herein Grantee agrees not to allow any mobile homes, prefabricated or manufactured homes to be located on my property. This restriction is to maintain the quality and character of the property. Grantor likewise in Grantees agreement, agrees the balance of Grantors property will not allow mobile homes, prefabricated or manufactured homes. Grantor and Grantee agree to maintain the sixty foot easement at their mutual expense until and if such easement shall be dedicated as a public road. If either party desires to dedicate the easement then each party and or their heirs or assigns will agree to granting of such easement as a public right-of-way.

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

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

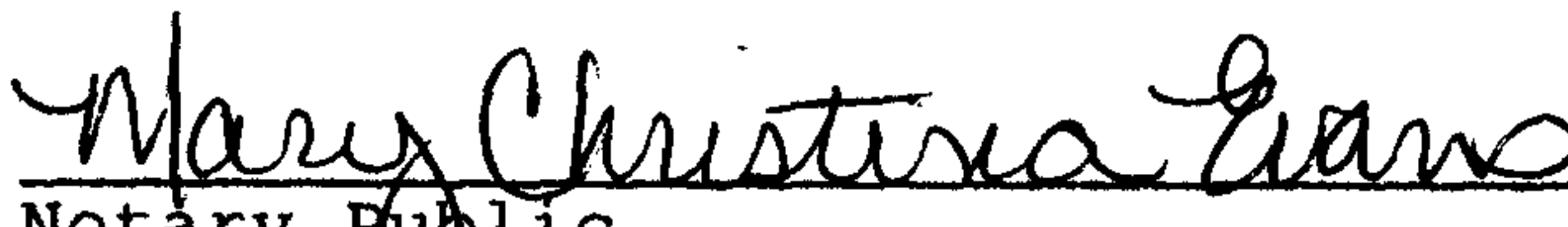
IN WITNESS WHEREOF, I have hereunto set my hand and seal this the th13 day of June, 2003.


Jerry E. McGaha

STATE OF ALABAMA)
SHELBY COUNTY)

I, the undersigned, a notary public in and for said county in said state, hereby certify that Jerry E. McGaha 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 instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 13th day of June, 2003.


Notary Public
NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: July 28, 2003
BONDED THRU NOTARY PUBLIC UNDERWRITERS
My Commission expires

[SEAL]

Exhibit A

20030618000382950 Pg 2/2 54.00
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LEGAL DESCRIPTION

A part of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 33, Township 17 South, Range 1 East, Shelby County, Alabama, being more particularly described as follows: Commencing at the Southeast corner of the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 33, Township 17 South, Range 1 East thence run West along the South line of said $\frac{1}{4}$ - $\frac{1}{4}$ section and the South line of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ for a distance of 2,071.03 feet to the Southwest corner of the East $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$, a $\frac{1}{2}$ " iron pin found, and the Point of Beginning; thence turn 92 degrees 00 minutes 47 seconds right and run northerly for a distance of 935.10 feet measured, 938.37 feet plat and deed, to a $\frac{1}{2}$ " iron pin found at a fence corner post on the Southeast margin of Shelby County Hwy. 101; thence turn 56 degrees 18 minutes 26 seconds right and run northeasterly along the chord of a curve to the right on said right-of-way a distance of 26.27 feet, said curve having a radius of 1909.86 feet and a central angle of 0 degrees 47 minutes 18 seconds; thence turn right 0 degrees 23 minutes 39 seconds and continue along said right-of-way line northeasterly for a distance of 93.49 feet to a point; thence turn right 123 degrees 17 minutes 55 seconds, leaving said highway, and run southerly 245.20 feet to a point on the center of an easement for ingress, egress and utilities, being 60 feet in width; thence turn left 78 degrees 08 minutes 44 seconds and run southeasterly along said easement centerline a distance of 108.07 feet to the beginning of a curve to the right, said curve having a radius of 146.80 feet and a central angle of 76 degrees 08 minutes 57 seconds; thence run along the arc of said curve in said easement a distance of 195.10 feet; thence run southerly along said easement centerline a distance of 92.33 feet to the beginning of a curve to the left, said curve having a radius of 100.00 feet and a central angle of 34 degrees 07 minutes 38 seconds thence run southerly and southeasterly along the arc of said easement a distance of 34.07 feet; thence run southeasterly along said easement centerline a distance of 131.09 feet to the point of a curve to the left, said curve having a radius of 241.13 feet and a central angle of 32 degrees 22 minutes 35 seconds; thence run southeasterly along the arc of said curve in said easement a distance of 136.26 feet; thence run southeasterly along said easement centerline a distance of 110.71 feet; thence turn 53 degrees 58 minutes 57 seconds right and run southeasterly for a distance of 226.37 feet to a point on the south $\frac{1}{4}$ - $\frac{1}{4}$ line; thence turn 102 degrees 30 minutes 16 seconds right and run westerly along said $\frac{1}{4}$ - $\frac{1}{4}$ line for a distance of 680.12 feet the Point of Beginning, making a closing left interior angle of 87 degrees 59 minutes 13 seconds.

Jerry E. McBeth
6/13/03