

SEND TAX NOTICE TO:  
S & C Family Partnership, Ltd.  
C/o George S. DiGiorgio  
6420 Cahaba Valley Rd.  
Birmingham, AL 35242

STATE OF ALABAMA       )  
SHELBY COUNTY         )

*\$10,000*

**WARRANTY DEED**

THIS IS A WARRANTY DEED made and entered into on this 5<sup>th</sup> day of January, 2004, by and between **CONSTANCE DIGIORGIO** and the **ESTATE OF SAM DIGIORGIO** (hereinafter referred to as "Grantors") and **S & C Family Partnership Ltd.** (hereinafter referred to as "Grantee").

Whereas, CONSTANCE DIGIORGIO and SAM DIGIORGIO previously contributed the Subject Property to Grantee pursuant to that certain Certificate and Limited Partnership Agreement of S & C Family Partnership, Ltd. filed with the Shelby County Probate Court on November 3, 1992;

WHEREAS, SAM DIGIORGIO died October 19, 1993;

WHEREAS the Grantors desire to clarify the Subject Property actually contributed to Grantee;

NOW, THEREFORE, Grantors do hereby GRANT, BARGAIN, SELL and CONVEY unto the Grantee, the following described real estate situated in Shelby County, Alabama:

1. Part of the SE 1/4 of the SW 1/4 of Section 6, Township 19, Range 1 West being more particularly described as follows:

That certain triangle in the SE corner of said SW 1/4 lying SE of Cahaba Valley Road also known as Highway 119. Situated in Shelby County, Alabama.

2. The Southwest Quarter of the Southeast Quarter and the Northwest diagonal half (1/2) of the Southeast Quarter of the Southeast Quarter of Section 6, Township 19 South, Range 1 West, excepting minerals and mining rights and highway right of way; less and except the Northwest Quarter of said Southwest Quarter of the Southeast Quarter (said exception containing that certain triangle in the Northwest Quarter of the Southwest Quarter of the Southeast Quarter lying west of Cahaba Valley Road also known as Highway 119 and the balance of said Northwest Quarter of the Southwest Quarter of the Southeast Quarter which includes the home located at 6425 Cahaba Valley Rd. and barns).

3. The SE diagonal half of SW 1/4 of SE 1/4 of SE 1/4, Section 6, Township 19, Range 1 West.

4. The W 1/2 of the NE 1/4 of NE 1/4 of Section 7, Township 19, Range 1 West.

5. The NW 1/4 of NE 1/4, Section 7, Township 19, Range 1 West, EXCEPT the following parcels of land:

EXCEPT 6 acres conveyed to Marshall T. Markwell and wife, as described in Deed Book 116, page 447, in the Probate Office of Shelby County, Alabama.

EXCEPT that parcel conveyed to Grady W. Denson described in Deed Book 133, page 480 in the Probate Office of Shelby County, Alabama.

6. A parcel of land in the NE 1/4 of the NW 1/4, Section 7, Township 19, Range 1 West, described as follows:

Beginning at the SE corner of said NE 1/4 of NW 1/4 and run thence North along the East boundary line of said 1/4 1/4 section 420 feet; run then Southwest,



parallel to the Cahaba Valley Road to a point on the South boundary line of said NE 1/4 of NW 1/4; run thence East along the South boundary line 180 feet, more or less to the point of beginning. Also, a 20 foot strip of land designated as an alley in the NE 1/4 of NW 1/4 and NW 1/4 of NE 1/4, Section 7, Township 19, Range 1 West, which lies between the lots heretofore mentioned as being conveyed to Markwell and Denson.

Mineral and mining rights and highway right-of-way are EXCEPTED from the above described property.

There is EXCEPTED herefrom the reservation for water line as more particularly shows in Deed Book 180, page 267 in the Probate Office of Shelby County, Alabama.

TOGETHER WITH all improvements thereon and appurtenances thereto belonging or in anyway appertaining and all right, title and interest of Grantor in and to any and all roads, alleys and ways bounding said premises (collectively, the "Subject Property").

This conveyance is made subject to the following:

1. Ad valorem taxes for the current year.
2. Easements, restrictions, set-back lines, rights of way limitations, if any, of record

TO HAVE AND TO HOLD unto the said Grantee, its successors and assigns, forever.

AND THE GRANTORS do for themselves, their heirs, executors, successors and assigns, covenant with said Grantee, its successors and assigns, that Grantors are lawfully seized in fee simple of the premises, that they are free from all encumbrances unless otherwise noted above, that Grantors have good right to sell and convey the same as aforesaid, and that Grantors will and their heirs, executors, successors and assigns shall warrant and defend same to said Grantee, its successors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, Grantors have hereunto set their hand and seal, this 5<sup>th</sup> day of January, 2004.

GRANTORS:

Constance DiGiorgio  
CONSTANCE DIGIORGIO

Sam DiGiorgio  
ESTATE OF SAM DIGIORGIO

Constance DiGiorgio  
CONSTANCE DIGIORGIO, Executor

Rosalie Campanatta  
ROSALIE CAMPONATTA, Executor

George S. DiGiorgio  
GEORGE S. DIGIORGIO, Executor

STATE OF ALABAMA)  
Jefferson COUNTY)

I, the undersigned Notary Public in and for said County in said State, hereby certify that CONSTANCE DIGIORGIO, 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 conveyance, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 5<sup>th</sup> day of January, 2004.

Kimberly Smith  
Notary Public  
My Commission Expires: 5/2/07

STATE OF ALABAMA)  
Jefferson COUNTY)

I, the undersigned Notary Public in and for said County in said State, hereby certify that CONSTANCE DIGIORGIO, whose name is signed to the foregoing conveyance as Executor of the Estate of Sam DiGiorgio, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, she, in her capacity as such executor, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 5<sup>th</sup> day of January, 2004.

Kimberly Smith  
Notary Public  
My Commission Expires: 5/2/07

STATE OF ALABAMA)  
Jefferson COUNTY)

I, the undersigned Notary Public in and for said County in said State, hereby certify that ROASALIE CAMPONATTA, whose name as Executor of the Estate of Sam DiGiorgio, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, she, in her capacity as such executor, she, in her capacity as such executor, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 5<sup>th</sup> day of January, 2004.

Kimberly Smith  
Notary Public  
My Commission Expires: 5/2/07

STATE OF ALABAMA)  
Jefferson COUNTY)

I, the undersigned Notary Public in and for said County in said State, hereby certify that GEORGE S. DIGIORGIO, whose name is signed to the foregoing conveyance as Executor of the Estate of Sam DiGiorgio, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he, in his capacity as such executor, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 5<sup>th</sup> day of January, 2004.

Kimberly Smith  
Notary Public  
My Commission Expires: 5/2/07

THIS INSTRUMENT PREPARED BY  
(without benefit of a title search):

Andrew J. Potts, Esq.  
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