

This instrument was prepared by

Mitchell A. Spears

Attorney at Law

P.O. Box 119

Montevallo, AL 35115-0091

205/665-5102

205/665-5076

Send Tax Notice to: Mike and Patsy Ballard

(Name) and Joe and Mary Anne Burdette

(Address) P.O. Box 1510

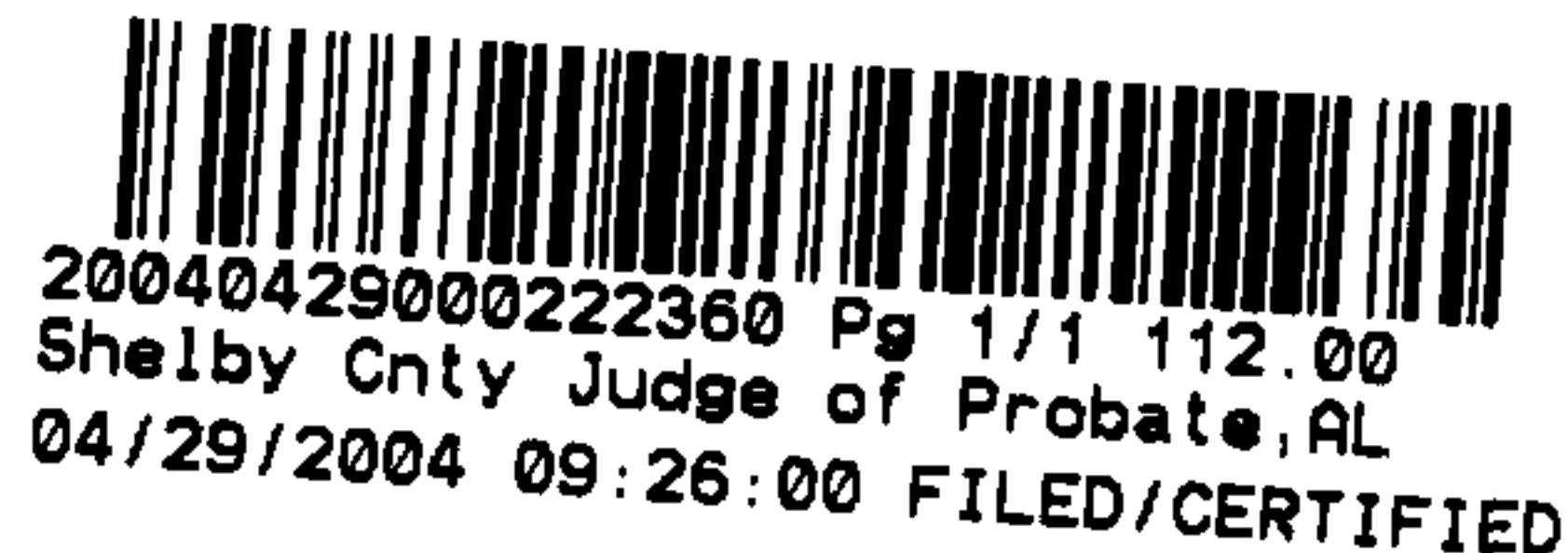
Calera, AL 35040

Warranty Deed

STATE OF ALABAMA

SHELBY COUNTY

KNOW ALL MEN BY THESE PRESENTS,



That in consideration of **NINETY NINE THOUSAND DOLLARS AND 00/100 (\$99,000.00)** to the undersigned Grantor (whether one or more), in hand paid by the Grantee herein, the receipt whereof is acknowledged, I or we, **D. ELWYN BEARDEN and wife, DEBBY S. BEARDEN**, (herein referred to as Grantor, whether one or more), grant, bargain, sell and convey unto **MIKE BALLARD, PATSY BALLARD, JOE BURDETTE and MARY ANNE BURDETTE**, as tenants in common, (herein referred to as Grantee, whether one or more), the following described real estate, situated in Shelby County, Alabama, to-wit:

**Lot 10, according to the Survey of Calera South Industrial Park, as recorded in Map Book 26, page 57, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.**

**SUBJECT TO:**

- Any prior reservation or conveyance, together with release of damages of minerals of every kind and character, including, but not limited to gas, oil, sand, and gravel in, on and under subject property.
- General and special taxes or assessments for the year 2004 and subsequent years not yet due and payable.
- Transmission Line Permit(s) to Alabama Power Company as shown by instrument(s) recorded in Deed Book 103 page 156 in Probate Office.
- Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto, including rights set out in Inst. #1995-36729 in Probate Office.
- Release(s) of damages as set out in instrument(s) recorded in Inst. # 1995-36729 in Probate Office.
- Release and Declaration of Covenants, dated December 22, 1995 and set out in Inst. #1995-36730 in the Probate Office.
- The following matters set out in Map Book 26 page 57:
  - a) 40 foot easement on the Westerly side of the land.
  - b) 15 foot easement on the Northerly, southerly and easterly side of the land.

TO HAVE AND TO HOLD, to the said GRANTEE, his, her or their heirs and assigns forever.

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

IN WITNESS WHEREOF, I (we) have hereunto set my (our) hand(s) and seal(s), this 27<sup>th</sup> day of April, 2004.

D. Elwyn Bearden  
D. ELWYN BEARDEN

Debbly S. Bearden  
DEBBY S. BEARDEN

STATE OF ALABAMA )  
COUNTY OF SHELBY )

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that **D. Elwyn Bearden and Debby S. Bearden**, are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day, that being informed of the contents of the conveyance, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 27<sup>th</sup> day of April, 2004.

Notary Public

My commission expires: 8/13/05