

WARRANTY DEED, JOINTLY FOR LIFE WITH REMAINDER TO SURVIVOR

This instrument was prepared by:
B. CHRISTOPHER BATTLES
3150 HIGHWAY 52 WEST
PELHAM, AL. 35124

Send tax notice to:
Kencar Development, Inc.
PO Box 1010
Alabaster, Alabama 35007

STATE OF ALABAMA
COUNTY OF SHELBY

Know All Men by These Presents: That in consideration of **Four hundred twenty thousand and no/100 (\$420,000.00)** to the undersigned grantor (whether one or more), in hand paid by the grantee herein, the receipt where is acknowledged, I or we, **Robert J. Dow, a married man and Gilder L. Wideman, a married man and Elmar Lawaczeck, a married man and Stacy and Diana Childs Foundation** (herein referred to as grantor, whether one or more), grant, bargain, sell and convey unto **Kencar Development, Inc.** (herein referred to as grantee, whether one or more), the following described real estate, situated in **Shelby County, Alabama**, to-wit:

See Exhibit "A" Legal Description attached hereto.

Mineral and mining rights excepted.

\$ 517,500.00 of the purchase price recited above was paid from mortgage loan closed simultaneously herewith.

Subject to existing easements, restrictions, set-back lines, rights of way, limitations, if any of record.

To Have and to Hold to the said grantee, as joint tenants, with right of survivorship, their heirs and assigns forever; it being the intention of the parties to this conveyance, that (unless the joint tenancy created is severed or terminated during the joint lives of the grantees herein) in the event one grantee herein survives the other, the entire interest in fee simple shall pass to the surviving grantee, and, if one does not survive the other, then the heirs and assigns of the grantees herein shall take as tenants in common.

And I (we) do, for myself (ourselves) and for my (our) heirs, executors and administrators, covenant with 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 13th day of May, 2004.

Witness

Robert J. Dow

Witness

Gilder L. Wideman

by his/her agent and attorney in fact, Robert J. Dow

Witness

Elmar Lawaczeck

Witness

Stacy J. Childs, Pres.

By: Stacy J. Childs

Its: President

STATE OF ALABAMA
COUNTY OF SHELBY

I, **B. CHRISTOPHER BATTLES**, a Notary Public in and for said County, in said State, hereby certify that **Robert J. Dow, a married man and Gilder L. Wideman, a married man and Elmar Lawaczeck, a married man**, whose name(s) 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 this conveyance, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 13th day of May, 2004.

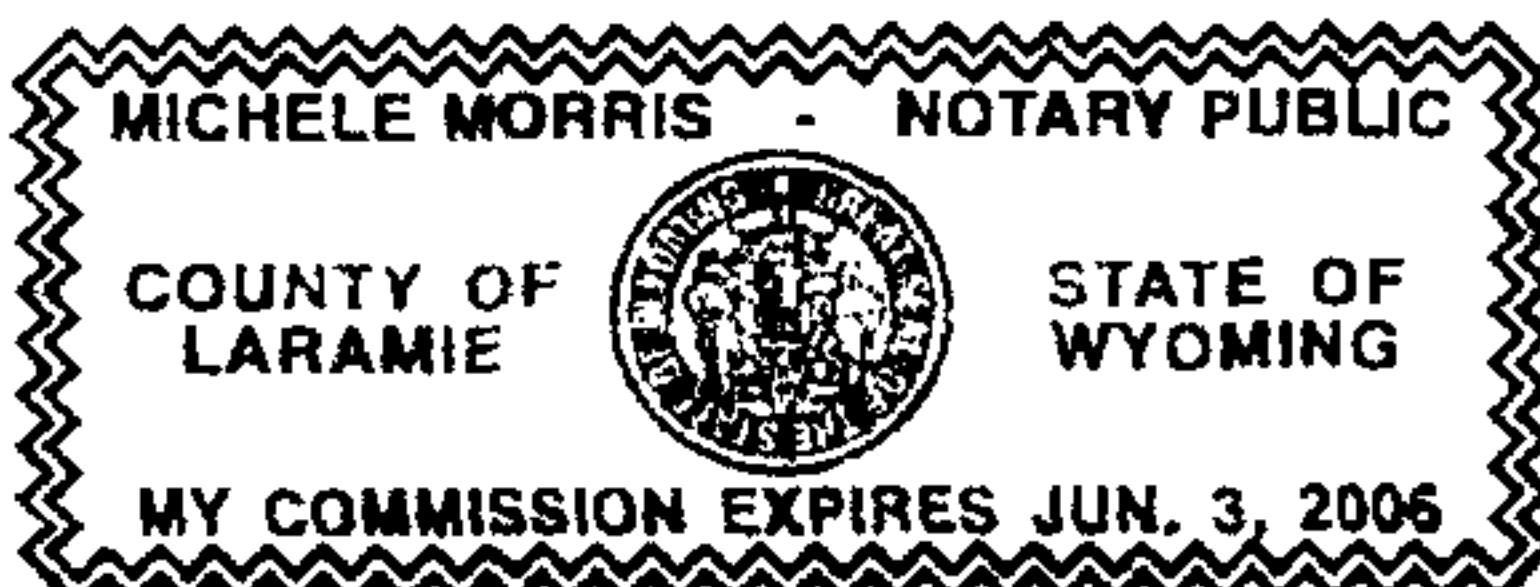
Notary Public

My Commission Expires: 02-25-05

STATE OF WYOMING
COUNTY OF LARAMIE

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that **Stacy J. Childs**, whose name as President, of **Stacy and Diana Childs Foundation**, signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of this conveyance, he, as such officer and with full authority executed the same voluntarily for and as act of said foundation.

Given under my hand and official seal, this 13th day of May, 2004.



Notary Public

My Commission Expires: 6-3-2006

Chris Battles

EXHIBIT "A"

LEGAL DESCRIPTION

Parcel I

A parcel of land situated in the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Sections 25 and the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 36, all in Township 20 South, Range 3 West, in Shelby County, Alabama and being more particularly described as follows:

Beginning at concrete monument found at the Northeast corner of a tract of land, said point also at the intersection of the South right of way of Interstate No. 65 and the West right of way of Shelby County Road No. 11; thence North 00 degrees 05 minutes 05 seconds West a distance of 285.92 feet to a capped iron pin found; thence South 51 degrees 32 minutes 33 seconds West a distance of 239.36 feet; thence South 47 degrees 53 minutes 26 seconds West a distance of 272.69 feet; thence North 82 degrees 18 minutes 21 seconds West a distance of 262.25 feet; thence South 07 degrees 41 minutes 44 seconds West a distance of 248.47 feet to a capped iron pin found; thence South 82 degrees 18 minutes 08 seconds East a distance of 126.31 feet to a capped iron pin found; thence North 36 degrees 34 minutes 43 seconds East a distance of 151.02 feet to a capped iron pin found; thence South 53 degrees 33 minutes 00 seconds East a distance of 212.15 feet to a capped iron pin found; thence with a curve turning to the right with an arc length of 345.51 feet, with a radius of 1717.02 feet, with a chord bearing of North 45 degrees 58 minutes 32 seconds East, with a chord length of 344.92 feet to a capped iron pin set; thence North 51 degrees 49 minutes 43 seconds East a distance of 62.95 feet to a concrete mon; which is the point of beginning.

Parcel II

Subject to Ingress, Egress and Utility Easement

Commencing at concrete monument found at the intersection of the South right of way of Interstate No. 65 and the West right of way of Shelby County Road No. 11; thence South 51 degrees 55 minutes 00 seconds West along said West right of way a distance of 63.00 feet to a capped rebar found; thence along said West right of way with a curve turning to the left with an arc length of 344.99 feet, a radius of 1717.04 feet and a delta angle of 30 degrees 30 minutes 43 seconds to a point of beginning of Easement #3 a Ingress, Egress and Utility Easement; thence North 53 degrees 33 minutes 30 seconds West and leaving said highway right of way, run a distance of 121.15 feet to a point; thence North 36 degrees 27 minutes 00 seconds East and run 31.30 feet to a point; thence South 00 degrees 00 minutes 00 seconds West run 75.74 feet to a point; thence South 08 degrees 31 minutes 51 seconds West run 77.62 feet to a point; thence South 53 degrees 33 minutes 00 seconds East run 63.60 feet to a point on the West right of way of said Shelby County Highway #11, being a point on a curve to the left having a radius of 1717.04 feet, a delta angle of 01 degrees 24 minutes 05 seconds; thence run along the arc of said curve and said right of way a distance of 42.90 feet to the point of beginning.

ACKNOWLEDGMENT FOR POWER OF ATTORNEY

**STATE OF ALABAMA
COUNTY OF SHELBY**

I, the undersigned, a Notary Public in and for said State, hereby certify that Robert J. Dow, whose name as Attorney in Fact for Gilder L. Wideman, is signed to the foregoing conveyance and who is known to me, acknowledged before me this day that, being informed of the conveyance, he/she, in his/her capacity as such Attorney in Fact, and with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 19th day of May, 2004.



Notary Public
My commission expires: 02-25-05