

THIS INSTRUMENT PREPARED BY:
Raja C. Khalaf
BALCH & BINGHAM LLP
1901 Sixth Avenue North
Suite 2600
Birmingham, Alabama 35203

SEND TAX NOTICE TO:
Alabama Power Company
Corporate Real Estate Dept.
P. O. Box 2641
Birmingham, Alabama 35291

STATE OF ALABAMA)
COUNTY OF SHELBY)

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that for and in consideration of the sum of Two Hundred Fifty Thousand and No/100 Dollars (\$250,000.00) in hand paid by **ALABAMA PROPERTY COMPANY**, a corporation, (hereinafter referred to as “Grantee”), to the undersigned, **TAMMY J. SMITH AND JEFFREY SMITH**, a married couple (hereinafter referred to as “Grantors”), the receipt and sufficiency of which is hereby acknowledged, Grantors do by these presents, and subject to the reservations, restrictions and easements hereinafter set forth, grant, bargain, sell and convey unto Grantee, the real property situated in Shelby County, Alabama described below (the “Property”):

Tammy J. Smith is also known as Tammy J. Masters Smith and Tammy Praytor Masters, and is formerly known as Tammy J. Masters and Tammy Joe Masters.

Jeffrey Smith is also known as Jeffrey G. Smith, Glennis Jeffrey Smith and Glenn J. Smith.

The Property is described as follows:

PARCEL I:

A parcel of land located in a portion of the Southeast ¼ of the Southeast ¼ of Section 32, and in a portion of the Southwest ¼ of the Southwest ¼ of Section 33, Township 21 South, Range 02 West of Shelby County, Alabama, more particularly described as follows:

Commence at the Southeast corner of Section 32, marked by a 3 inch capped iron pipe; thence North 03°07’08” East a distance of 660.59 feet to a 5/8” rebar, said point being the Point of Beginning of the hereinafter described parcel; thence North 84°55’04” West a distance of 250.84 feet to a 5/8” rebar; thence North 00°33’11” West a distance of 54.90 feet to a ½ inch crimped pipe; thence North 75°21’31” West a distance of 232.35 feet to a ¾ inch rebar; thence North 13°09’12” East a distance of 471.31 feet to a 6 inch x 6 inch concrete monument; thence North 88°06’31” East a distance of 373.57 feet to a 6 inch x 6 inch concrete monument; thence South 89°10’20” East a distance of 47.76 feet to a 6 inch x 6 inch concrete monument; thence South 05°42’26” West a distance of 488.21 feet to a 6 inch x 6 inch concrete monument; thence South 02°12’26” West a distance of 120.73 feet to the Point of Beginning. Said Parcel containing 5.69 acres more or less. All bearings based on the Alabama State Plane West Zone Grid North.

Situated, lying and being in Shelby County, Alabama.

PARCEL II:

A parcel of land located in a portion of the Southwest ¼ of the Southwest ¼ of Section 33, Township 21 South, Range 02 West of Shelby County, Alabama, more particularly described as follows:

Cahaba Title

Commence at the Southeast corner of Section 32, marked by a 3 inch capped iron pipe; thence North 00°16'12" West a distance of 133.75 feet to a 5/8" rebar, said point being the Point of Beginning of the hereinafter described parcel; thence North 00°15'34" West a distance of 134.69 feet to a 5/8" rebar; thence North 09°45'54" East a distance of 168.10 feet to a 5/8" rebar; thence South 88°01'59" East a distance of 217.63 feet to a 5/8" rebar; thence South 07°08'35" East a distance of 305.03 feet to a 5/8" rebar; thence North 88°01'23" West a distance of 283.50 feet to the Point of Beginning. Said Parcel containing 1.78 acres more or less. All bearings based on the Alabama State Plane West Zone Grid North.

Situated, lying and being in Shelby County, Alabama.

PARCEL II described above constitutes the homestead of the Grantors.

The Property is conveyed to the Grantee subject to the following:

1. General and special taxes or assessments for the year 2004 and subsequent years not yet due and payable.
2. Transmission Line Permit(s) to Alabama Power Company as shown by instrument(s) recorded in Deed 182, page 61 in the Office of the Judge of Probate of Shelby County, Alabama.
3. Right(s) of Way(s) granted to South Central Bell by instrument(s) recorded in Deed 337, page 837 in the Office of the Judge of Probate of Shelby County, Alabama.
4. Non-exclusive easement shown by instrument recorded in Deed 283, page 294 in the Office of the Judge of Probate of Shelby County, Alabama.
5. Mineral, mining, and oil and gas rights not owned by the Grantors, if any.
6. Tenancies under the following leases dated January 1, 2004, each of which terminates on January 1, 2005:
 - (a) Lease between Grantors and Craig Smith and Stephanie Smith;
 - (b) Lease between Grantors and Tommy Vancicle and Tammy Vancicle;
 - (c) Lease between Grantors and Jason Freeman and Jamie Freeman;
and
 - (d) Lease between Grantors and Patricia Webber.

TO HAVE AND TO HOLD, to the said Grantee, its successors and assigns forever. And Grantors do, for themselves and for their heirs, executors and administrators, covenant with the said Grantee, its successors and assigns, that: (i) Grantors are lawfully seized in fee simple of the Property; (ii) the Property is free from all encumbrances, unless otherwise set forth above; (iii) Grantors have a good right to sell and convey the Property as aforesaid; and (iv) Grantors and Grantors' heirs, executors and administrators shall warrant and defend the same to the said Grantee, its successors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said Grantors have executed this conveyance this 10TH day of June, 2004.

Grantors Signatures on Next Page.

WITNESSES:

GRANTORS:

Print Name: Tr

Tammy J. Smith
Tammy J. Smith

Print Name: _____

Jeffrey Smith
Jeffrey Smith

STATE OF ALABAMA)

COUNTY OF Shelby)

I, Deann A. Livingston, a notary public in and for said county in said state, hereby certify that **Tammy J. Smith**, 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 such instrument, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 10th day of June, 2004.

Deann A. Livingston
Notary Public

[Notarial Seal]

My Commission Expires: _____
DEANN A. LIVINGSTON
Notary Public for State at Large
Qualified in Alabama
Commission Expires August 8, 2007

STATE OF ALABAMA)

COUNTY OF Shelby)

I, Deann A. Livingston, a notary public in and for said county in said state, hereby certify that **Jeffrey Smith**, 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 such instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 10th day of June, 2004.

Deann A. Livingston
Notary Public

[Notarial Seal]

My Commission Expires: _____
DEANN A. LIVINGSTON
Notary Public for State at Large
Qualified in Alabama
Commission Expires August 8, 2007