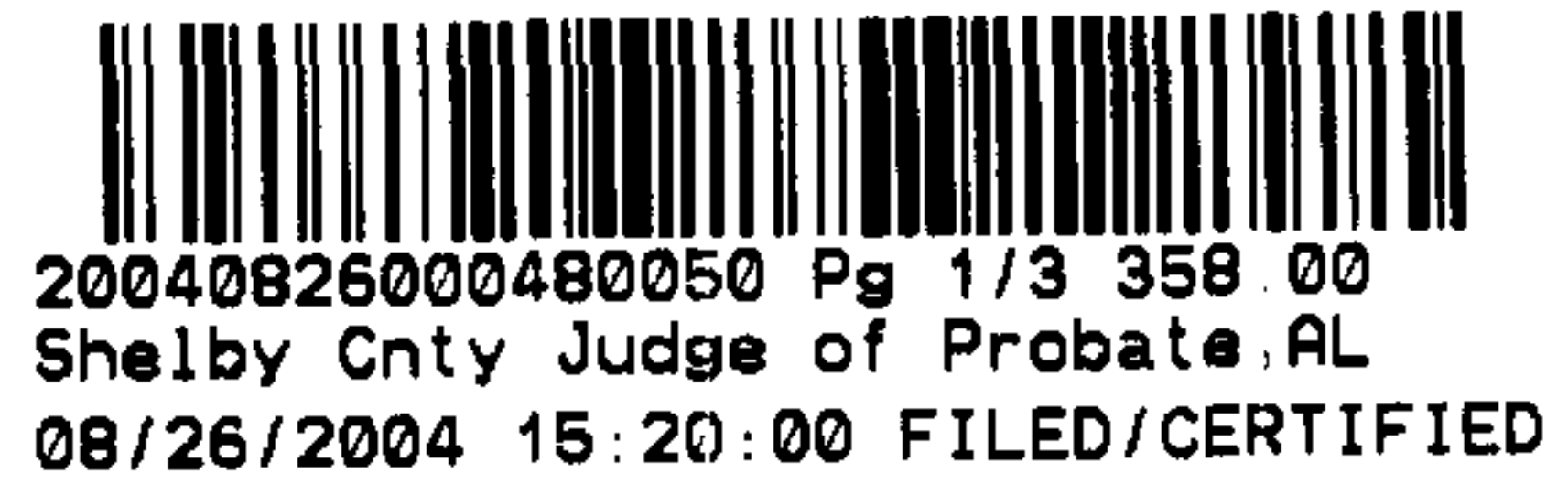




(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was prepared by:

Jon M. Turner, Jr.
NAJJAR DENABURG, P.C.
Attorneys at Law
2125 Morris Avenue
Birmingham, Alabama 35203

SEND TAX NOTICE TO:

MICHAEL A. CALLAHAN
3342 Dell Road
Birmingham, AL 35223

STATE OF ALABAMA)
COUNTY OF **SHELBY**)

WARRANTY DEED
JOINTLY WITH RIGHT OF SURVIVORSHIP

Know All Men by These Presents: That in consideration of **THREE HUNDRED FORTY THOUSAND AND NO/100 (\$340,000.00) DOLLARS** to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, I (we), **BETTY N. JONES, AN UNMARRIED WOMAN, DAWN SAZERA, A MARRIED WOMAN AND CLAUDE SMERAGLIA, A MARRIED MAN** (herein referred to as GRANTORS) do grant, bargain, sell and convey unto **MICHAEL A. CALLAHAN AND TERESA L. CALLAHAN** (herein referred to as GRANTEES, whether one or more) the following described real estate, situated in **SHELBY** County, Alabama, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO FOR LEGAL DESCRIPTION.

THIS IS TO CERTIFY THAT THE PROPERTY DESCRIBED HEREIN DOES NOT CONSTITUTE THE HOMESTEAD OF THE GRANTOR NOR THEIR SPOUSES.

SUBJECT TO:

1. Subject to the taxes for the year beginning October 1, 2003, which constitutes a lien, but are not yet due and payable until October 1, 2004.
2. Transmission Line Permit(s) to Alabama Power Company as shown by instrument(s) recorded in Deed 130 page 225, Deed 242 page 927, Deed 233 page 96 and Deed 226 page 551 in the Probate Office.
3. Right(s) of Way(s) granted to Shelby County by instrument(s) recorded in Deed 239 page 821 in the Probate Office.
4. Permit to Shelby County as set out in Deed 160 page 243 in the Probate Office.
5. Easement(s) to Alabama State Highway Department as shown by instrument recorded in Deed 161 page 71 in the Probate Office.
6. Rights of others to use of gravel road in Easterly portion.
7. A 30 foot road easement as set out in Deed 244 page 647, Deed 276 page 864, Deed 278 page 692 and Deed 276 page 470 in the Probate Office.
8. Deed to State of Alabama as set out in Real 145 page 374 in the Probate Office.
9. The following matters as shown on the survey by Thomas E. Simmons dated August 18, 2004.
 - (a) Easement on Easterly portion along with rights of others to the use thereof.
 - (b) Encroachment(s) of fences onto and off of the land on the Westerly and Northwesterly sides.

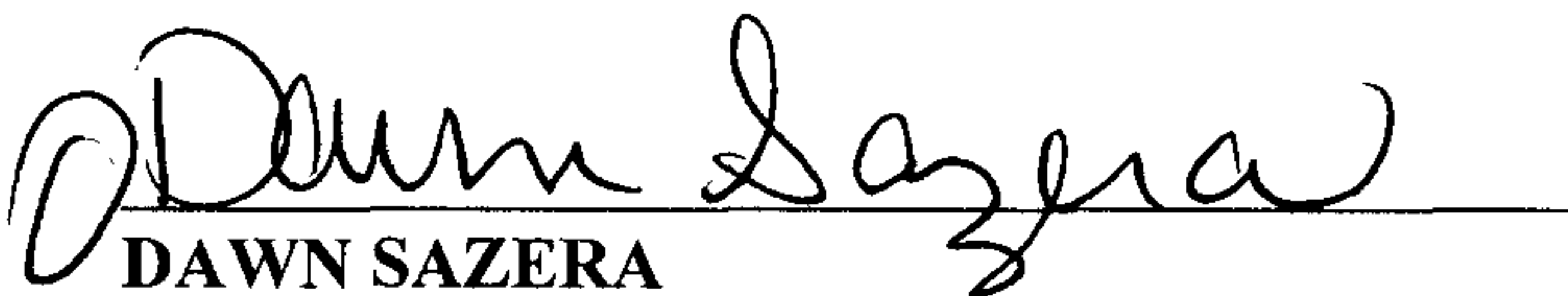
10. Any loss, damage, cost, expense and attorney fees occasioned by any overlap, gap, gore, loss of land, boundary line dispute, or conflict of title with any adjacent owner.

TO HAVE AND TO HOLD Unto the said GRANTEES 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 hereby 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 the said GRANTEES, 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 noted 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 GRANTEES, his, her, or their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said GRANTORS, **BETTY N. JONES, AN UNMARRIED WOMAN, DAWN SAZERA, A MARRIED WOMAN AND CLAUDE SMERAGLIA, A MARRIED MAN** have hereunto set their signatures and seals, this the **23RD** day of **AUGUST, 2004**.


BETTY N. JONES

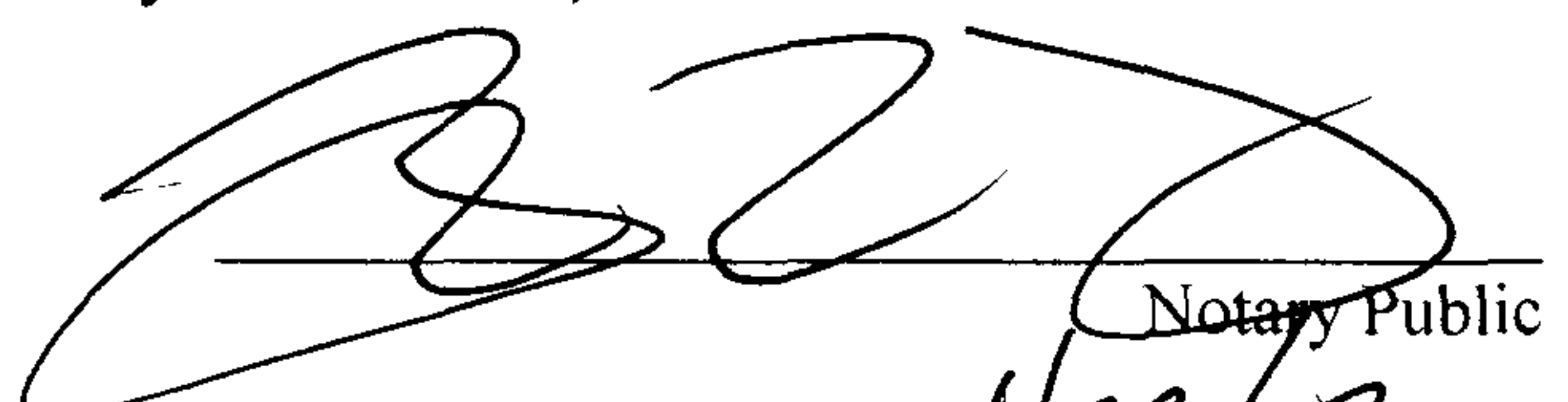

DAWN SAZERA


CLAUDE SMERAGLIA

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

I, the undersigned, a Notary Public, in and for said County, hereby certify that **BETTY N. JONES, AN UNMARRIED WOMAN, DAWN SAZERA, A MARRIED WOMAN AND CLAUDE SMERAGLIA, A MARRIED MAN**, whose names 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 seal on this the **23RD** day of **AUGUST, 2004**.


Notary Public
My Commission Expires: 04/23/08

A part of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 29, Township 21 South, Range 1 West, a part of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 28, Township 21 South, Range 1 West, a part of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 20, Township 21 South, Range 1 West and the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 21, Township 21 South, Range 1 West:

Commence at the NW corner of Section 28, Township 21 South, Range 1 West; thence run Easterly along the North line thereof 55.25 feet; thence 51 deg. 36 min. 53 sec. left run Northeasterly 68.73 feet to the point of beginning; thence 16 deg. 00 min. 48 sec. right run Northeasterly 507.60 feet; thence 19 deg. 43 min. 34 sec. right for 85.90 feet; thence 94 deg. 49 min. 54 sec. left run Northwesterly 305.07 feet; thence 29 deg. 15 min. 50 sec. left run Westerly 209.16 feet; thence 26 deg. 06 min. 33 sec. left run Southwesterly 367.30 feet; thence 5 deg. 26 min. left for 219.90 feet; thence 8 deg. 47 min. 48 sec. left for 267.30 feet; thence 8 deg. 20 min. left for 610.00 feet to the West line of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 20, Township 21 South, Range 1 West; thence 51 deg. 27 min. 39 sec. left run Southerly along said $\frac{1}{4}$ $\frac{1}{4}$ line and the West line of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 29 for 1173.62 feet to the Northerly right of way of Alabama State Highway #70; thence 97 deg. 53 min. 11 sec. left run Easterly along said right of way for 130.00 feet; thence 90 deg. 00 min. right along said right of way for 25.00 feet; thence 90 deg. 00 min. left continue along said right of way for 600 feet; thence 90 deg. 00 min. left for 5.00 feet; thence 90 deg. 00 min. right for 353.03 feet to a curve to the right (having a radius of 2625.70 feet and a central angle of 2 deg. 29 min. 43 sec.); thence run along said curve and right of way for 245.0 feet; thence 90 deg. 00 min. left from tangent of said curve run Northerly 10.00 feet to a curve (having a radius of 5635.70 feet and a central angle of 2 deg. 16 min. 46 sec.); thence 90 deg. 00 min. right to tangent of said curve, run Easterly along said curve and right of way for 224.21 feet; thence 91 deg. 29 min. 18 sec. left from chord of said curve run Northerly 944.75 feet to the point of beginning.

Less and except the following described property:

Commence at the NW corner of Section 28, Township 21 South, Range 1 West; thence run Easterly along the North line thereof for 55.25 feet; thence 51 deg. 36 min. 53 sec. left run Northeasterly 68.73 feet; thence 134 deg. 36 min. 57 sec. right run Southerly 911.19 feet; thence 90 deg. 05 min. 58 sec. right for 28.55 feet to the point of beginning; thence continue last described course for 30.30 feet; thence 93 deg. 12 min. 46 sec. left run Southerly 30.53 feet; thence 87 deg. 48 min. 58 sec. left for 30.01 feet; thence 91 deg. 40 min. 11 sec. left for 30.00 feet to the point of beginning .

Also a 20 foot easement for ingress and egress, the Easterly line of which is described as follows: Commence at the NW corner of Section 28, Township 21 South, Range 1 West; thence run Easterly along the North line thereof for 55.25 feet; thence 51 deg. 36 min. 53 sec. left run Northeasterly 68.73 feet; thence 16 deg. 00 min. 48 sec. left run Northeasterly 507.60 feet; thence 19 deg. 43 min. 34 sec. right for 85.90 feet to the point of beginning; thence 180 deg. 00 min. right run Southwesterly 85.90 feet; thence 19 deg. 43 min. 34 sec. left for 507.60 feet; thence 29 deg. 22 min. 15 sec. left run Southerly 945.57 feet to the Northerly right of way of Alabama State Highway #70 and the point of ending.

All being situated in Shelby County, Alabama.