

This instrument was prepared by

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1629 11th Avenue South  
Birmingham, Alabama 35205

SEND TAX NOTICE TO:

ED CATES  
4384 HIGHWAY 31  
CALERA, AL 35040

File #S04313

## WARRANTY DEED

STATE OF ALABAMA

SHELBY COUNTY

### KNOW ALL MEN BY THESE PRESENTS:

That in consideration of ONE MILLION FOUR HUNDRED EIGHTY FIVE THOUSAND AND 00/100 DOLLARS (\$1,485,000.00) to the undersigned grantor (whether one or more), in hand paid by the grantee herein, the receipt whereof is acknowledged, I or we, MARGARET B. ENGLISH AND RONALD ALVA ENGLISH, AS CO-TRUSTEE'S OF THE ENGLISH LIVING TRUST, DATED JUNE 28, 1995 (herein referred to as grantor, whether one or more), grant, bargain, sell and convey unto ED CATES (herein referred to as grantee, whether one or more), the following described real estate, situated in Shelby County, Alabama to-wit:

SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION

### SUBJECT TO:


1. Advalorem property taxes for the current tax year, 2005.
2. Easements, restrictions, covenants and reservations of record.

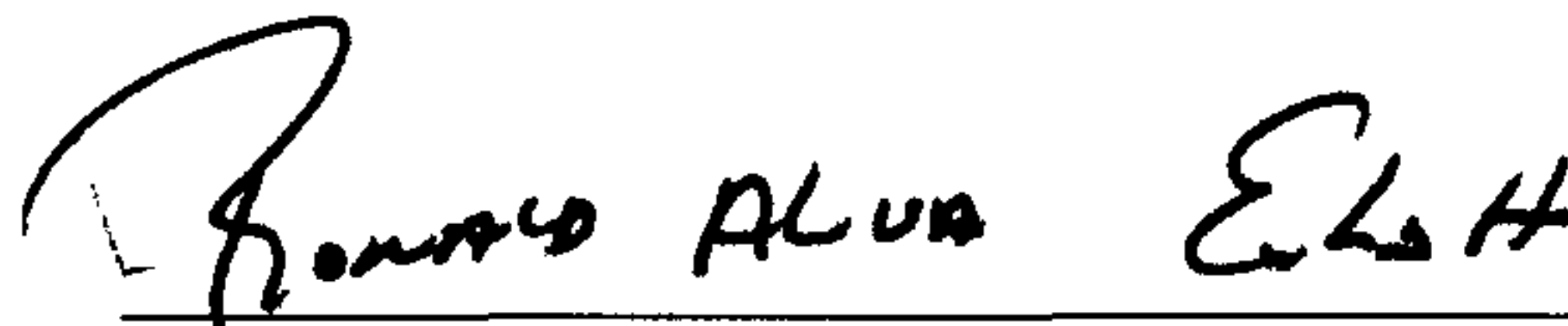
TO HAVE AND TO HOLD to the said grantee, his, her or their heirs and assigns forever.

And I (we) do, for myself (ourselves) and for my (our) heirs, executors and administrators, covenant with 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.

*me  
RAE*

IN WITNESS WHEREOF, I/(we), have hereunto set my (our) hand(s) and seal(s) this 12th day of October, 2004.

 (SEAL)  
MARGARET B. ENGLISH AS  
CO-TRUSTEE OF THE ENGLISH LIVING  
TRUST DATED JUNE 28, 1995

 (SEAL)  
RONALD ALVA ENGLISH AS  
CO-TRUSTEE OF THE ENGLISH LIVING  
TRUST DATED JUNE 28, 1995

STATE OF ALABAMA

JEFFERSON COUNTY

I, the undersigned, a Notary Public in and for said State and in said County, hereby certify that MARGARET B. ENGLISH AND RONALD ALVA ENGLISH, whose name as CO-TRUSTEE'S OF THE ENGLISH LIVING TRUST DATED JUNE 28, 1995., 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 as such CO-TRUSTEE'S and with full authority, executed the same voluntarily for and as the act of said LIVING TRUST.

GIVEN under my hand and official seal on this the 12TH day of OCTOBER, 2004.

  
Notary Public

My commission expires: 11-2-07

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

PARCEL I

A PARCEL OF LAND SITUATED IN THE N ½ OF THE SE ¼ OF SECTION 33, TOWNSHIP 21 SOUTH, RANGE 2 WEST, SHELBY COUNTY, ALABAMA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SE CORNER OF THE NE ¼ OF THE SE ¼ OF ABOVE SAID SECTION, TOWNSHIP AND RANGE, SAID POINT BEING THE POINT OF BEGINNING; THENCE N 01 DEGREES 10 MINUTES 03 SECONDS E, A DISTANCE OF 733.76 FEET; THENCE N 86 DEGREES 58 MINUTES 33 SECONDS W, A DISTANCE OF 1925.18 FEET; THENCE S 01 DEGREES 25 MINUTES 18 SECONDS E, A DISTANCE OF 761.29 FEET TO A POINT, SAID POINT LYING ON THE NORTHERLY R.O.W. LINE OF ALABAMA HIGHWAY #70 (115 FEET R.O.W.); SAID POINT ALSO BEING THE BEGINNING OF A NON TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 1707.11 FEET, A CENTRAL ANGLE OF 05 DEGREES, 07 MINUTES 52 SECONDS AND SUBTENDED BY A CHORD WHICH BEARS N 75 DEGREES 47 MINUTES 12 SECONDS E, AND A CHORD DISTANCE OF 152.83 FEET; THENCE ALONG THE ARC OF SAID CURVE AND SAID R.O.W. LINE, A DISTANCE OF 152.88 FEET TO A POINT, SAID POINT BEING THE BEGINNING OF A NON TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 1568.05 FEET, A CENTRAL ANGLE OF 24 DEGREES 00 MINUTES 03 SECONDS, AND SUBTENDED BY A CHORD WHICH BEARS S 89 DEGREES 26 MINUTES 07 SECONDS E, AND A CHORD DISTANCE OF 652.05 FEET; THENCE ALONG THE ARC OF SAID CURVE AND SAID R.O.W. LINE, A DISTANCE OF 656.85 FEET; THENCE S 80 DEGREES 27 MINUTES 54 SECONDS E AND ALONG SAID R.O.W. LINE, A DISTANCE OF 1102.13 FEET; THENCE N 01 DEGREES 10 MINUTES 03 SECONDS AND LEAVING SAID R.O.W. LINE, A DISTANCE OF 77.36 FEET TO THE POINT OF BEGINNING. CONTAINING 31.66 ACRES, MORE OR LESS. ACCORDING TO SURVEY OF RODNEY Y. SHIFLETT, RLS #21784, DATED SEPTEMBER 17, 2004.

ME  
RAE