

249  
= 56

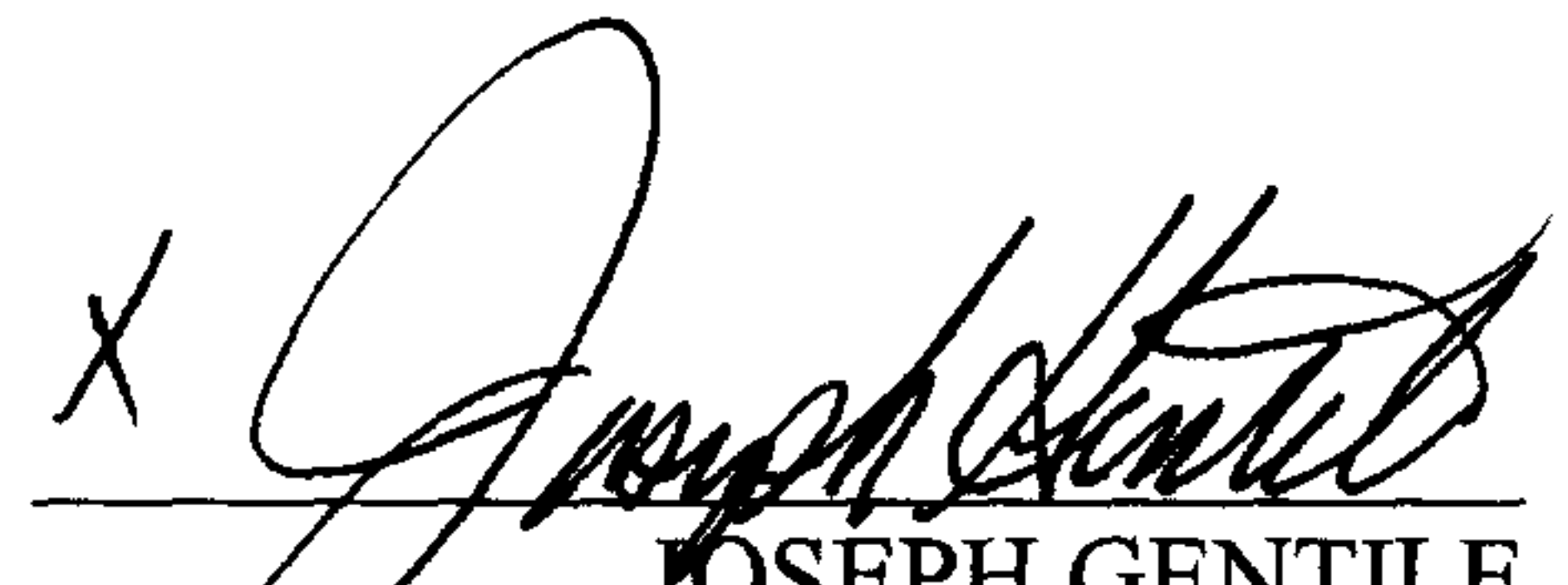
1. TAXES FOR THE YEAR 2004 WHICH CONSTITUTE A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 2005.
2. TITLE TO ALL MINERALS WITHIN AND UNDERLYING THE PREMISES TOGETHER WITH ALL MINING RIGHTS AND OTHER RIGHTS PRIVILEGES AND IMMUNITIES AND RELEASE OF DAMAGES RELATING THERETO AS RECORDED IN DEED BOOK 53, AGE 262.
3. RESTRICTIONS APPEARING OF RECORD IN INSTRUMENT 1997-2752 INSTRUMENT 1997-4561; INSTRUMENT 1997-4563 AND INSTRUMENT 1997-11561.
4. RIGHT OF WAY GRANTED TO ALABAMA POWER COMPANY BY INSTRUMENT(S) RECORDED IN DEED BOOK 236, PAGE 829; DEED BOOK 139, PAGE 127; DEED BOOK 133, PAGE 210; DEED BOOK 126, PAGE 191; DEED BOOK 126, PAGE 192; DEED BOOK 126, PAGE 323 AND DEED BOOK 124, PAGE 519.
5. RIGHTS OUTSTANDING UNDER THOSE CERTAIN EASEMENT AGREEMENTS CONVEYED TO SHELBY COUNTY IN INSTRUMENT # 1993-3957; INSTRUMENT # 1993-3958; INSTRUMENT # 1993-3959; INSTRUMENT # 1993-3960; INSTRUMENT # 1993-3961; INSTRUMENT # 1993-3962; INSTRUMENT # 1993-3963; INSTRUMENT # 1993-3964; INSTRUMENT # 1993-3965 AND INSTRUMENT # 1993-3966.

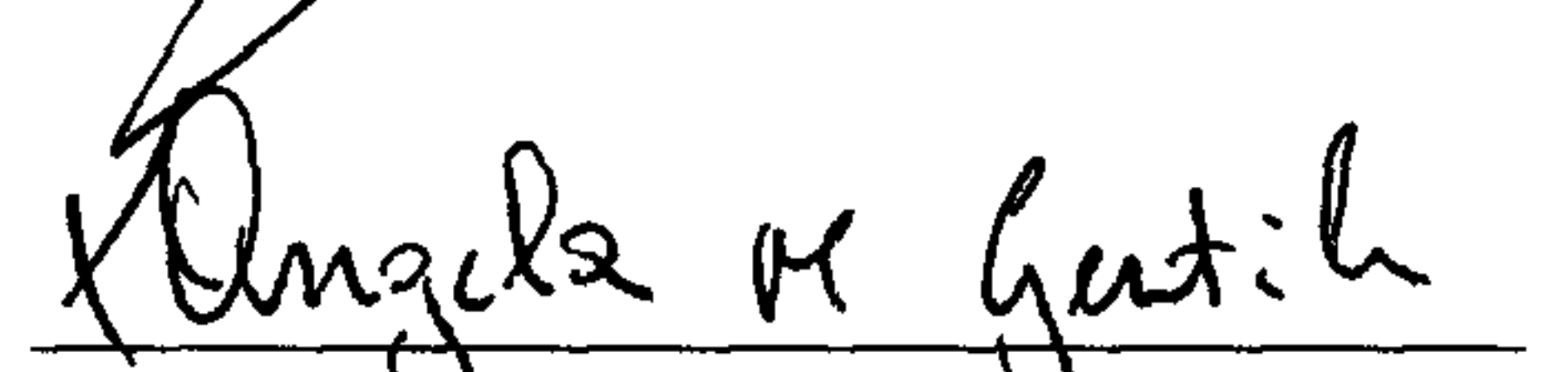
\$92,000.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

**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, JOSEPH GENTILE and ANGELA M. GENTILE, HUSBAND AND WIFE, have hereunto set his, her or their signature(s) and seal(s), this the 31st day of January, 2005.

X   
JOSEPH GENTILE

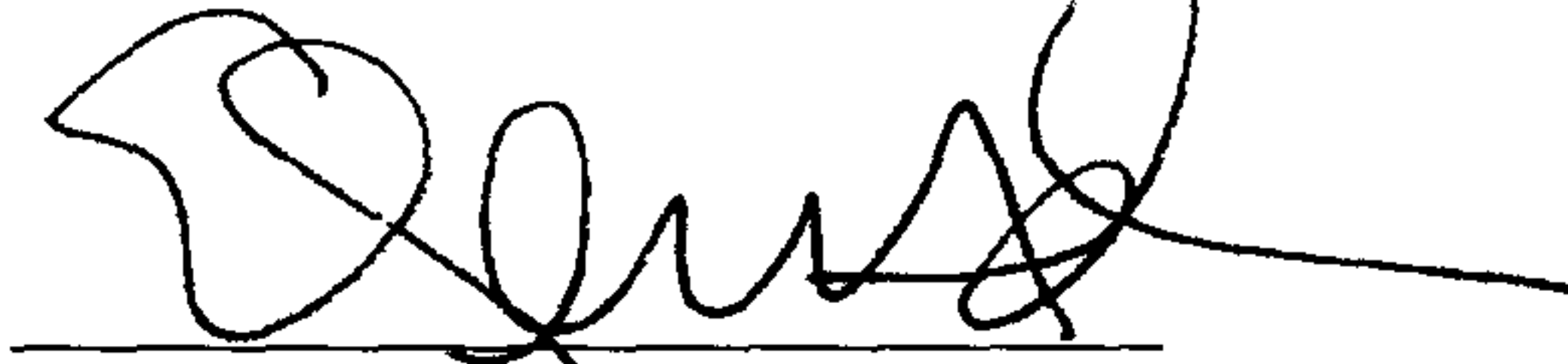
X   
ANGELA M. GENTILE

STATE OF ALABAMA)  
COUNTY OF SHELBY)

#### ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that JOSEPH GENTILE and ANGELA M. GENTILE, HUSBAND AND WIFE, whose name(s) is (are) signed to the foregoing conveyance, and who is (are) known to me, acknowledged before me on this day that, being informed of the contents of the conveyance he, she, or they executed the same voluntarily on the day the same bears date.

Given under my hand this the 31st day of January, 2005.

  
Notary Public

My commission expires: 10.2.05