

This instrument was prepared by:

William R. Justice
P.O. Box 1144 Columbiana, Alabama 35051

Grantees' address:
115 Highland Drive
Columbiana, AL 35051

WARRANTY DEED, JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

STATE OF ALABAMA

SHELBY COUNTY KNOW ALL MEN BY THESE PRESENTS,

That in consideration of One Hundred Seventy-five Thousand and no/100 DOLLARS (\$175,000.00) to the undersigned GRANTOR in hand paid by the GRANTEES herein, the receipt whereof is acknowledged, the undersigned Carolyn Edith Yawn Mann, married, and Margie Lynn Driver Yawn, as Trustee for Thomas Ray Yawn, Hollie Elizabeth Yawn, and Jessica Lynn Yawn under the will of Robert Hollis Yawn, deceased (herein referred to as GRANTOR, whether one or more) do grant, bargain, sell and convey unto Johnny Howard, Sr. and Sara H. Howard (herein referred to as GRANTEES) for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, together with every contingent remainder and right of reversion, the following described real estate situated in SHELBY County, Alabama to-wit:

A parcel of land situated in South $\frac{1}{2}$ of Section 17, Township 21 South, Range 1 East, Shelby County, Alabama, being more particularly described as follows:
Commence at an iron pin found locally accepted to be the Southwest corner of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of said Section 17; thence run North along the West line of said $\frac{1}{4}$ $\frac{1}{4}$ section for a distance of 705.59 feet to an iron pin set at the point of beginning; thence continue along last stated course for a distance of 909.90 feet to a point; thence turn an angle to the right of 74 deg. 09 min. 58 sec. and run in a Northeasterly direction a distance of 467.66 feet to a point; thence turn an angle to the right of 22 deg. 39 min. 34 sec. and run in a Southeasterly direction for a distance of 427.65 feet to an iron pin set; thence turn an angle to the right of 70 deg. 32 min. 34 sec. and run in a Southeasterly direction for a distance of 96.12 feet to an iron pin set on a curve to the left, having a central angle of 66 deg. 08 min. 18 sec. and a radius of 100.00 feet; thence run in a Southeasterly direction along the arc of said curve for a distance of 115.43 feet to an iron pin set on a compound curve to the left, having a central angle of 26 deg. 01 min. 04 sec. and a radius of 455.00 feet; thence run in a Southeasterly to Northeasterly direction along the arc of said curve for a distance of 206.61 feet to an iron pin found; thence run tangent to last stated curve in a Northeasterly direction for a distance of 121.36 feet to an iron pin set; thence turn an angle to the left of 76 deg. 41 min. 43 sec. and run in a Northwesterly direction for a distance 8.31 feet to an iron pin found; thence turn an angle to the right of 92 deg. 00 min. 00 sec. and run in an Easterly direction for a distance of

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30.02 feet to an iron pin set; thence turn an angle to the right of 88 deg. 00 min. 00 sec. and run in a Southerly direction for a distance of 85.95 feet to an iron pin set; thence turn an angle to the right of 02 deg. 59 min. 42 sec. and run in a Southerly direction for a distance of 307.01 feet to an iron pin set on a curve to the left, having a central angle of 25 deg. 40 min. 07 sec. and radius of 520.00 feet; thence run in a Southeasterly direction along the arc of said curve for a distance of 232.96 feet to an iron pin set on a reverse curve to the right, having a central angle of 43 deg. 55 min. 07 sec. and a radius of 185.00 feet; thence run in a Southeasterly to Southwesterly direction along the arc of said curve for a distance of 141.81 feet to an iron pin set; thence run tangent to last stated curve in a Southwesterly direction for a distance of 47.64 feet to an iron pin set on a curve to the left, having a central angle of 18 deg. 18 min. 23 sec. and a radius of 150.00 feet; thence run in a Southwesterly direction along the arc of said curve for a distance of 47.93 feet to an iron pin set; thence run tangent to last stated curve in a Southerly direction for a distance of 25.13 feet to an iron pin set; thence turn an angle to the right of 89 deg. 04 min. 27 sec. and run in a Westerly direction for a distance of 1344.85 feet to the point of beginning.

All being situated in Shelby County, Alabama.

Also, easement as described on Exhibit A.

Also conveyed is a right of first refusal to purchase any real property lying adjacent to the above described property which is still owned by GRANTOR.

Subject to easements, rights of way, and reservations of mineral and mining rights of record. **Subject to covenants and restrictions set out on attached Exhibit B.**

The above described property does not constitute any part of the homestead of GRANTOR or GRANTOR'S spouse, if any.

\$175,000.00 of the consideration stated above was paid by a purchase money mortgage executed simultaneously herewith.

TO HAVE AND TO HOLD to the said GRANTEES for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, and to the heirs and assigns of such survivor forever, together with every contingent remainder and right of reversion.

And GRANTOR does for GRANTOR and for GRANTOR'S heirs, executors, and administrators covenant with the said GRANTEES, their heirs and assigns, that GRANTOR is lawfully seized in fee simple of said premises; that they are free from all encumbrances unless otherwise noted above; that GRANTOR has a good right to sell and convey the same as aforesaid; that GRANTOR will and GRANTOR'S heirs, executors and administrators shall warrant and defend the same to the said GRANTEES, their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, GRANTOR has hereunto set GRANTOR'S hand and seal, this
8th day of March, 2005.

Roy D. Hearing
Witness to Carolyn Edith Yawn Mann
Witness printed name: Roy D. HEARING

Mary Jones
Witness to Carolyn Edith Yawn Mann
Witness printed name: Mary Jones

Margie Lynn Driver Yawn
Margie Lynn Driver Yawn, as Trustee for
Thomas Ray Yawn under the Will of Robert
Hollis Yawn, deceased

Carolyn Edith Yawn Mann
Carolyn Edith Yawn Mann

Margie Lynn Driver Yawn
Margie Lynn Driver Yawn, as Trustee for
Hollie Elizabeth Yawn under the Will of
Robert Hollis Yawn, deceased

Margie Lynn Driver Yawn
Margie Lynn Driver Yawn, as Trustee for
Jessica Lynn Yawn under the Will of Robert
Hollis Yawn, deceased

STATE OF FLORIDA
Bay COUNTY

The foregoing instrument was acknowledged before me this 3rd day of March, 2005, by
Carolyn Edith Yawn Mann, married, who is personally known to me or who has produced
as identification.



Rosemarie Matteson
My Commission DD133588
Expires August 09, 2006

Rosemarie Matteson
Notary public
Notary printed name ROSEMARIE MATTESON
My commission expires: 8/9/05

STATE OF ALABAMA
COUNTY OF SHELBY

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that
Margie Lynn Driver Yawn, whose name as Trustee for Thomas Ray Yawn, Hollie Elizabeth Yawn,
and Jessica Lynn Yawn, under the will of Robert Hollis Yawn, deceased, is signed to the foregoing
conveyance, and who is known to me, acknowledged before me on this day that, being informed of
the contents of the conveyance, she, in her capacity as such Trustee, executed the same voluntarily
on the day the same bears date.

Given under my hand and official seal, this the 8th day of March, 2005.

William R. Jentles
Notary Public

EXHIBIT A

A 60 foot easement for ingress and egress and utilities, situated in Section 17 and 20, Township 21 South, Range 1 East, Shelby County, Alabama, lying 30 feet each side of a centerline, being more particularly described as follows:

Commence at a 3/8 inch rebar found locally accepted to be the Northwest corner of the Northeast quarter of the Southwest quarter of said Section 17; thence run East along the North line of said quarter-quarter section for a distance of 1,267.63 feet to an iron pin set; thence turn an angle to the right of 87 degrees, 36 minutes, 38 seconds and run in a Southeasterly direction for a distance of 1,084.03 feet to a point; thence turn an angle to the left of 88 degrees, 00 minutes, 00 seconds and run in an Easterly direction for a distance of 30.02 feet to the point of beginning; thence turn an angle to the right of 88 degrees, 00 minutes, 00 seconds and run in a Southeasterly direction for a distance of 85.95 feet to a point; thence turn an angle to the right of 02 degrees, 59 minutes, 42 seconds and run in a Southwesterly direction for a distance of 307.01 feet to a point on a curve to the left, having a central angle of 25 degrees, 40 minutes, 07 seconds a radius of 520.00 feet; thence run in a Southeasterly direction along the arc of said curve for a distance of 232.96 feet to a point on a reverse curve to the right, having a central angle of 43 degrees, 55 minutes, 07 seconds and a radius 185.00 feet; thence run in a Southeasterly to Southwesterly direction along the arc of said curve for a distance of 141.81 feet to a point; thence run tangent to last stated curve in a Southwesterly direction for a distance of 47.64 feet to a point on a curve to the left, having a central angle of 18 degrees, 18 minutes, 23 seconds and a radius of 150.00 feet; thence run in a Southwesterly direction along the arc of said curve for a distance of 47.93 feet to a point; thence run tangent to last stated curve in a Southwesterly direction for a distance of 201.55 feet to a point on a curve to the right, having a central angle of 07 degrees, 38 minutes, 50 seconds and a radius of 280.00 feet; thence run in a Southwesterly direction along the arc of said curve for a distance of 37.37 feet to a point; thence run tangent to last stated curve in a Southwesterly direction for a distance of 363.49 feet to a point on a curve to the left, having a central angle of 98 degrees, 26 minutes, 18 seconds and a radius of 100.00 feet, thence run in a Southwesterly to Southeasterly direction along the arc of said curve for a distance of 171.81 feet to a point; thence run tangent to last stated curve in an Easterly direction for a distance of 491.30 feet to a point on a curve to the right, having a central angle of 59 degrees, 48 minutes, 18 seconds and a radius of 207.12 feet; thence run in a Southeasterly direction along the arc of said curve for a distance of 216.19 feet to a point; thence run tangent to last stated curve in a Southeasterly direction for a distance of 66.51 feet to the North right of way line of Shelby County Highway No. 30 and the end of said easement.

Also, a 60 foot easement for ingress and egress and utilities, situated in Section 17, Township 21 South, Range 1 East, Shelby County, Alabama, lying 30 feet each side of a centerline, being more particularly described as follows:

Commence at a 3/8 inch rebar found locally accepted to be the Northwest corner of the Northeast 1/4 of the Southwest 1/4 of said Section 17; thence run East along the North line of said 1/4 1/4 section for a distance of 1,267.63 feet to an iron pin set; thence turn an angle to the right of 87 deg. 36 min. 38 sec. and run in a Southeasterly direction for a distance of 544.00 feet to a point; thence turn an angle to the left of 88 deg. 00 min. 00 sec. and run in an Easterly direction for a distance of 30.02 feet to a point; thence turn an angle to the right of 88 deg. 00 min. 00 sec. and run in a Southeasterly direction for a distance of 540.21 feet to the point of beginning; thence turn an angle to the right of 76 deg. 41 min. 43 sec. and run in a Southwesterly direction for a distance of 152.19 feet to a point on a curve to the right, having a central angle of 26 deg. 01 min. 04 sec. and a radius of 455.00 feet; thence run in a Southwesterly to Northwesterly direction along the arc of said curve for a distance of 206.61 feet to a point on a compound curve to the right, having a central angle of 66 deg. 08 min. 18 sec. and a radius of 100.00 feet; thence run in a Northwesterly direction along the arc of said curve for a distance of 115.43 feet to a point; thence run tangent to last stated curve in a Northwesterly direction for a distance of 96.12 feet to the end of said easement.

Grantee shall contribute ratably with the other easement owners in the subdivision to the cost of any materials and labor used in the repair and maintenance of the easements, drainage facilities, and structures associated therewith.

EXHIBIT B

COVENANTS & RESTRICTIONS

1. Minimum building set back line shall be no less than 100 feet from any property line.
2. There may be further division of lands herein described into parcels of at least 10 acres each, subject to approval of the Shelby County Planning Department or other agency having jurisdiction over the property.
3. It shall be the responsibility of each owner to prevent the occurrence of any unclean, unsightly refuse or garbage on the described parcels.
4. No one story dwelling house of less than 2000 square feet of heated area, exclusive of porches, carports, basements and decks or terraces and no one and one-half or two story dwellings having less than 2600 square feet of heated area shall be erected on any parcel.
5. No detached outbuilding, storage building or garage shall be erected closer to the street than the front of the dwelling.
6. No trailers, temporary buildings, garages or other buildings shall be built and used for residence purposes prior to the completion of a dwelling on said lots. All residences shall be site-built homes. No mobile homes, modular homes or manufactured homes are allowed.
7. No unused or inoperable vehicles or water craft shall be stored on the property unless stored in a garage or outbuilding.
8. If any person shall violate or attempt to violate any of the covenants and restrictions contained herein, it shall be lawful for any person or persons owning any of the adjoining parcels to prosecute any proceedings at law or in equity, against the person or persons violating any such covenants and restrictions, and either to prevent him or them from doing or to recover damages for such violation. It being understood that this right extends not only to the present owners of said property, but also to any future property owners therein.
9. Property shall be used for residential purposes only. No commercial uses are permitted.

RESTRICTIONS ON LAKE USAGE

1. No persons other than owners of property which touches the lake, or members of their household, may use the lake.
2. No mechanically-powered devices, including but not limited to gasoline powered motors, personal watercraft, and jetskis, may be used on the lake. Canoes and johnboats are permitted. No vessels longer than 16 feet are permitted.
3. No irrigation systems or similar equipment may pump water from the lake.
4. No boathouses or other structures may be built which project into the lake, other than a pier or walk which may project no more than three (3) feet into the lake and which are no larger than 60 square feet in surface area per lot. No other above-ground structure may be placed closer than 100 feet to the shore of the lake without specific written approval of the majority of the property owners entitled to use the lake..
5. Maintenance of the lake shall be shared by owners of property adjoining the lake. They shall contribute ratably to the cost of any materials and labor used in the repair and maintenance of the lake and structures associated therewith.