

WARRANTY DEED Joint tenants with right of survivorship

STATE OF ALABAMA
COUNTY OF JEFFERSON

KNOW ALL MEN BY THESE PRESENTS, That in consideration of **Three Hundred, Forty Nine Thousand and no/100's Dollars (\$349,000.00)** and other good and valuable consideration to the undersigned grantors, **CYNTHIA PEARCE and spouse, LARRY W. PEARCE, JR.** in hand paid by the grantees herein, the receipt whereof is hereby acknowledged the said grantors do grant, bargain, sell and convey unto **PHILLIP DAVID DIAL and RHONDA LEA DIAL** as joint tenants with right of survivorship, the following described real estate situated in Shelby County, Alabama, to-wit:


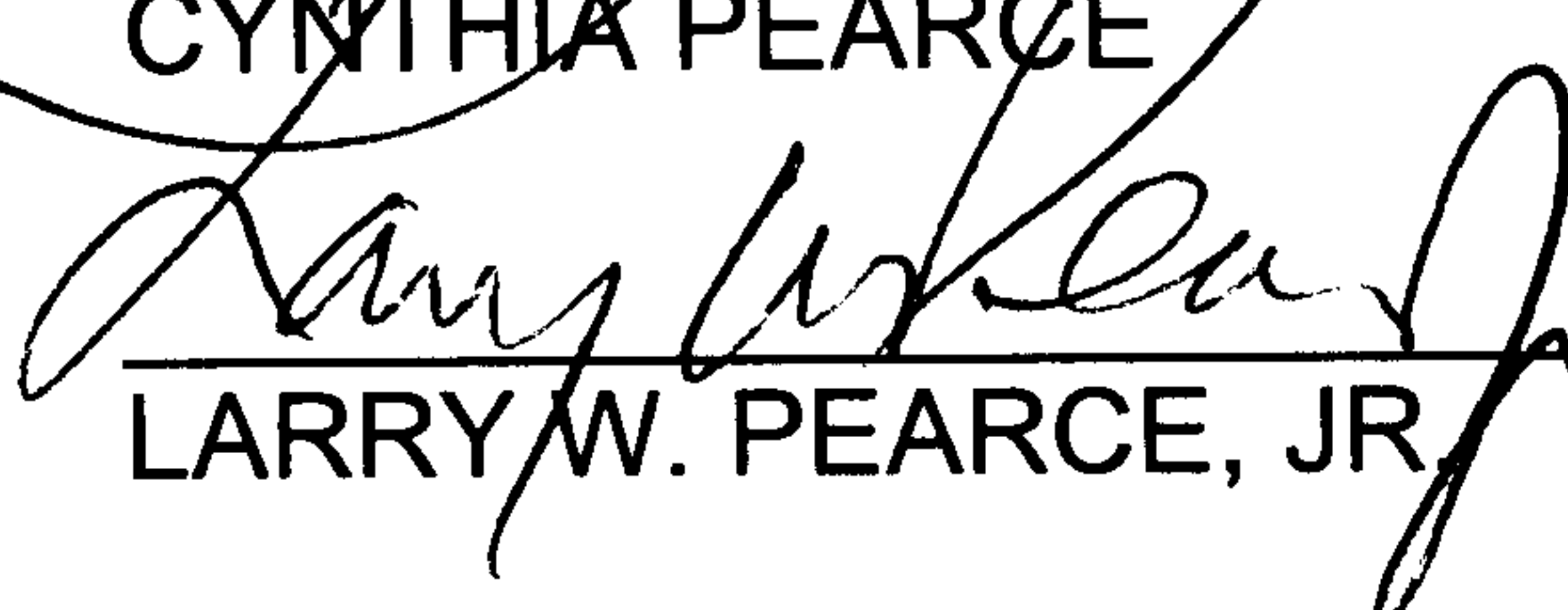
See attached exhibit A for legal description

All of the above consideration is paid by a Purchase Money Mortgages filed simultaneously herewith.

TO HAVE AND TO HOLD, to 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 or more grantees herein survives the other, the entire interest in fee simple shall pass to the surviving grantees, and if one does not survive the other, then the heirs and assigns of the grantees herein shall take as tenants in common.

And we do, for ourselves and for our heirs, executors and administrators covenant with the said grantees, their heirs and assigns, that we are lawfully seized in fee simple of said premises, that they are free of all encumbrances, unless otherwise noted above; that we have a good right to sell and convey the same as aforesaid; that we will and our 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, we have hereunto set our hands and seals, this the 10th day of March, 2005.


CYNTHIA PEARCE

LARRY W. PEARCE, JR.

STATE OF ALABAMA
COUNTY OF JEFFERSON

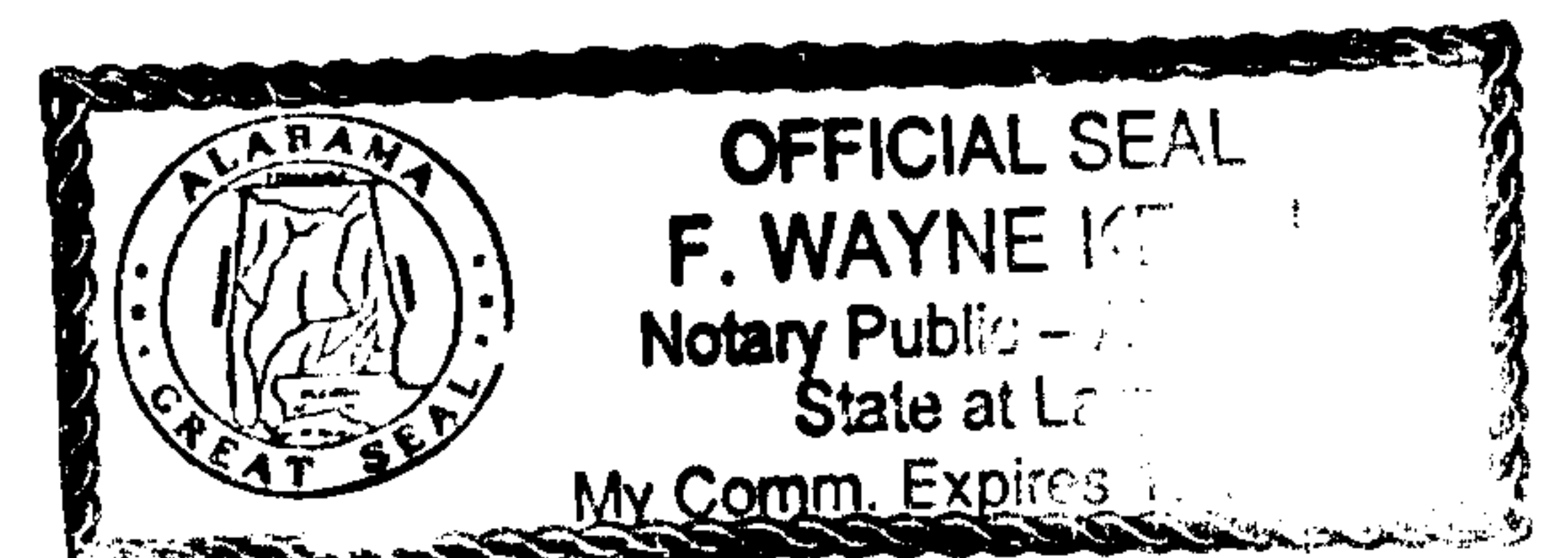
I, the undersigned, a Notary Public in and for said County, in said State hereby certify that Cynthia Pearce and Larry W. Pearce, Jr., whose names are signed to the foregoing conveyance and who are known to me, acknowledged before me, that, being informed of the contents of the conveyance they executed the same voluntarily on the day the same bears date.

Given under my hand and seal this the 10th day of March, 2005.


Notary Public

This instrument was prepared by:
F. Wayne Keith
400 Vestavia Parkway, Suite 250
Birmingham, Alabama 35216

Send Tax Notice to:
Phillip David Dial
300 Eaglewood Farms Road
Maylene, Alabama 35114



A PARCEL OF LAND SITUATED IN THE N ¼ OF SECTION 9, TOWNSHIP 21 SOUTH, RANGE 3 WEST, SHELBY COUNTY, ALABAMA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NE CORNER OF LOT 1 OF ABERNATHY'S ADDITION TO EAGLE WOOD ESTATES, AS RECORDED IN MAP BOOK 11, PAGE 61 IN THE OFFICE OF THE JUDGE OF PROBATE IN SHELBY COUNTY, ALABAMA; THENCE NORTH 89 DEGREES 49 MINUTES 30 SECONDS WEST ALONG THE NORTH LINE OF SAID SUBDIVISION A DISTANCE OF 481.39 FEET TO THE NW CORNER OF LOT 4 OF SAID SUBDIVISION; THENCE SOUTH 03 DEGREES 28 MINUTES 41 SECONDS EAST ALONG THE WEST LINE OF SAID LOT 4 A DISTANCE OF 300.00 FEET TO THE NORTHERLY RIGHT OF WAY OF BURNT PINE DRIVE; THENCE NORTH 89 DEGREES 49 MINUTES 30 SECONDS WEST ALONG SAID RIGHT OF WAY A DISTANCE OF 69.29 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG THE LAST DESCRIBED COURSE A DISTANCE OF 30.00 FEET; THENCE NORTH 00 DEGREES 10 MINUTES 30 SECONDS EAST A DISTANCE OF 420.00 FEET; THENCE NORTH 23 DEGREES 19 MINUTES 45 SECONDS WEST A DISTANCE OF 65.29 FEET; THENCE NORTH 03 DEGREES 57 MINUTES 44 SECONDS EAST A DISTANCE OF 426.08 FEET; THENCE SOUTH 89 DEGREES 48 MINUTES 32 SECONDS EAST A DISTANCE OF 520.82 FEET; THENCE SOUTH 03 DEGREES 28 MINUTES 41 SECONDS EAST A DISTANCE OF 189.65 FEET; THENCE SOUTH 62 DEGREES 34 MINUTES 35 SECONDS WEST A DISTANCE OF 569.84 FEET; THENCE SOUTH 00 DEGREES 10 MINUTES 30 SECONDS WEST A DISTANCE OF 451.46 FEET TO THE POINT OF BEGINNING.

ALSO, A 60 FOOT INGRESS, EGRESS AND UTILITY EASEMENT, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

AN EASEMENT SITUATED IN THE N ¼ OF SECTION 9, TOWNSHIP 21 SOUTH, RANGE 3 WEST, SHELBY COUNTY, ALABAMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NE CORNER OF LOT 1 OF ABERNATHY'S ADDITION TO EAGLE WOOD ESTATES, AS RECORDED IN MAP BOOK 11, PAGE 61 IN THE OFFICE OF THE JUDGE OF PROBATE IN SHELBY COUNTY, ALABAMA; THENCE NORTH 89 DEGREES 49 MINUTES 30 SECONDS WEST ALONG THE NORTH LINE OF SAID SUBDIVISION A DISTANCE OF 481.39 FEET TO THE NW CORNER OF LOT 4 OF SAID SUBDIVISION; THENCE SOUTH 03 DEGREES 28 MINUTES 41 SECONDS EAST ALONG THE WEST LINE OF SAID LOT 4 A DISTANCE OF 300.00 FEET TO THE NORTHERLY RIGHT OF WAY OF BURNT PINE DRIVE; THENCE NORTH 89 DEGREES 49 MINUTES 30 SECONDS WEST ALONG SAID RIGHT OF WAY A DISTANCE OF 99.29 FEET TO THE POINT OF BEGINNING OF A CENTERLINE OF A 60 FOOT INGRESS, EGRESS AND UTILITY EASEMENT LYING 30 FEET TO EITHER SIDE AND PARALLEL TO DESCRIBED CENTERLINE; THENCE NORTH 00 DEGREES 10 MINUTES 30 SECONDS EAST A DISTANCE OF ALONG SAID CENTERLINE A DISTANCE OF 420.09 FEET TO THE CENTER OF A CIRCULAR EASEMENT HAVING A RADIUS OF 60 FEET.

SUBJECT TO ALL RESTRICTIONS, RESERVATIONS, RIGHTS, EASEMENTS, RIGHTS-OF-WAY, PROVISIONS, COVENANTS, TERMS, CONDITIONS AND BUILDING-SET-BACK LINES OF RECORD

EXHIBIT A

