20050601000262730 1/2 \$135.50 Shelby Cnty Judge of Probate, AL 06/01/2005 09:08:02AM FILED/CERT

THIS INSTRUMENT PREPARED BY: James J. Odom, Jr. P. O. Box 11244 Birmingham, AL 35202-1244

SEND TAX NOTICE TO: D. Elwyn Bearden Debby S. Bearden 3490 Bearden Lane Helena, AL 35080

STATE OF ALABAMA COUNTY OF SHELBY

Shelby County, AL 06/01/2005

State of Alabama

SURVIVORSHIP WARRANTY DEED Deed Tax: \$121.50

KNOW ALL MEN BY THESE PRESENTS THAT in consideration of One Hundred Twenty-One Thousand Five Hundred and No/100 Dollars (\$121,500.00) to the undersigned Grantor, Metrock Helena Properties, LLP, an Alabama limited liability partnership, in hand paid by D. Elwyn Bearden and Debby S. Bearden, the receipt whereof is hereby acknowledged, the said Metrock Helena Properties, LLP, an Alabama limited liability partnership (referred to herein as "Grantor"), does by these presents, grant, bargain, sell and convey unto the said D. Elwyn Bearden and Debby S. Bearden (herein referred to as "Grantees"), as joint tenants with right of survivorship, the following

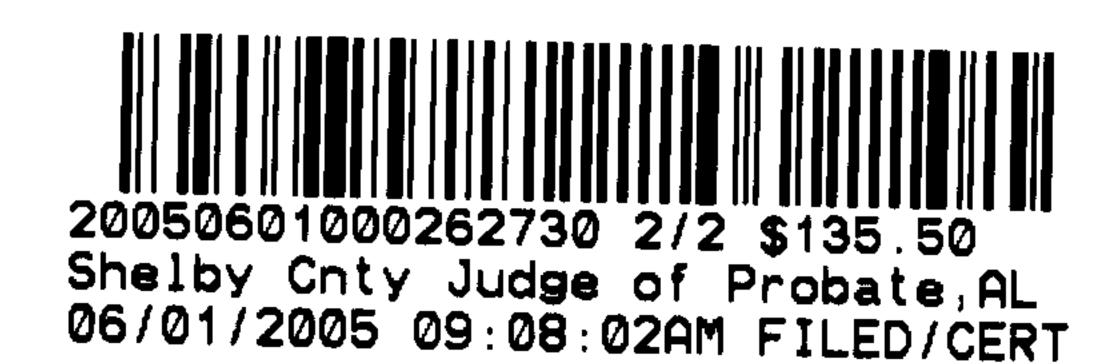
Lots 6, 7, 8 and 9, according to the Survey of Metrock Industrial Park, as recorded in Map Book 35, at Page27, in the Probate Office of Shelby County, Alabama.

described real estate, situated in Shelby County, Alabama, to-wit:

SUBJECT TO: (1) Current taxes; (2) Rights of Way granted to Alabama Power Company by instruments recorded in Deed Book 199, Page 446, Deed Book 57, Page 88, and Deed Book 146, Page 309, in the Probate Office; (3) Rights of Way granted to AT&T by instruments recorded in Real 254, Page 507, and Real 173, Page 954, in the Probate Office; (4) Rights of Way granted to Water Works Board of the Town of Montevallo by instruments recorded in Deed Book 145, Page 465, and Deed Book 176, Page 390, in the Probate Office; (5) Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto, including rights set out in Deed Book 352, Page 670, and Inst. No. 1995-11385 in the Probate Office; (6) Restrictions, limitations, conditions and other provisions as set out on the Map of Metrock Industrial Park, recorded in Map Book 35, at Page 27, in the Probate Office.

TO HAVE AND TO HOLD to the said Grantees as joint tenants, with rights 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 two Grantees herein survive the third Grantee, the entire interest in fee simple shall pass to the surviving Grantees, and thereafter, in the event that one of the remaining two Grantees survives the other, the entire interest in fee simple shall pass to the surviving Grantee.

And said Grantor does for itself, its successors and assigns, covenant with said Grantees, their heirs and assigns, that it is lawfully seized in fee simple of said premises; that the premises 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 its successors and assigns 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, the undersigned has executed this conveyance on this the 16th day of May, 2005.

WITNESSES:

Metrock Helena Properties, LLP, an Alabama limited liability partnership

By:

John M. Metrocka/k/a Jack Metrock 'as its President

Metrock and Jack Metrock are one and the same person.

STATE OF ALABAMA COUNTY OF SHELBY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that John M. Metrock, whose name as President of Metrock Helena Properties, LLP, an Alabama limited liability partnership, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day, that, being informed of the contents of the instrument, he, in his capacity as such Partner and with full authority, executed the same voluntarily for and as the act of said partnership.

Given under my hand and seal this 16th day of May, 2005,

My Commission Expires:07/14/2007

Notary Public