

This instrument was prepared by:

Gail Livingston Mills, Esq.
Burr & Forman LLP
420 North 20th Street
3100 SouthTrust Tower
Birmingham, AL 35203

Send Tax Notice to:

John Scott Young
1933 21st Avenue South
Birmingham, Alabama 35209

STATE OF ALABAMA)
COUNTY OF SHELBY)

\$850,000

STATUTORY WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS: That for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration to the undersigned grantor, **H & E WISE, L.L.C.**, an Alabama limited liability company (the "Grantor"), in hand paid by **JOHN SCOTT YOUNG**, an unmarried man ("Grantee"), the receipt and sufficiency whereof are hereby acknowledged, Grantor does hereby grant, bargain, sell, and convey unto Grantee all of its right, title and interest in and to that certain real estate (the "Property") situated in Shelby County, Alabama, which is more particularly described on Exhibit A attached hereto.

Subject, however, to those matters set forth on Exhibit B attached hereto (the "Permitted Encumbrances").

\$500,000 of the consideration for this Deed is provided from the proceeds of a mortgage being recording contemporaneously herewith.

TO HAVE AND TO HOLD the Property unto the Grantee and the Grantee's heirs and assigns, forever.

AND THE GRANTOR will warrant and forever defend the right and title to the above described property unto the Grantee against the claims of Grantor and all others claiming by or under Grantor, but not otherwise.

IN WITNESS WHEREOF, Grantor has caused this Deed to be properly executed on this 20th day of June, 2005.

GRANTOR:

H & E WISE, L.L.C.,
an Alabama limited liability company

By: *Howard C. Wise, Jr.*
Howard C. Wise, Jr.
Manager and Member

20050622000310890 2/4 \$373.00
Shelby Cnty Judge of Probate, AL
06/22/2005 12:34:14PM FILED/CERT

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Howard C. Wise, Jr., as Member and Manager of H & E Wise, L.L.C., an Alabama limited liability company, whose name 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, he, as such officer and with full authority, executed the same voluntarily for and as the act of said limited liability company.

Given under my hand and official seal this 20th day of June, 2005.

Heidi A. Miller

NOTARY PUBLIC

My Commission expires: 2/26/06

EXHIBIT A

LEGAL DESCRIPTION

The land referred to in this Commitment is described as follows:

Part of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$, part of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ and part of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$; all in Section 23, Township 18 South, Range 1 East, Shelby County, Alabama, described as follows:

Begin at the Southwest corner of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section, thence run along the Section line North 00 degrees 33 minutes 10 seconds East 2664.38 feet to the Northwest corner of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section; thence North 89 degrees 02 minutes 40 seconds East 1248.60 feet to the south right of way of County Road 45; thence along said right of way on a curve to the left with a radius of 620.30 feet and a chord bearing South 60 degrees 53 minutes 30 seconds East 98.39 feet for an arc distance of 98.49 feet to a point which is 49.3 feet South of the Northwest corner of said SE $\frac{1}{4}$ of the NW $\frac{1}{4}$; thence continue along said right of way on a curve to the left with a radius of 620.30 feet and a chord bearing South 74 degrees 59 minutes 40 seconds East 205.90 feet for an arc distance of 206.86 feet; thence along said right of way South 84 degrees 33 minutes 00 seconds East 252.41 feet; thence leaving said right of way run South 02 degrees 35 minutes 20 seconds West 618.35 feet; thence South 00 degrees 16 minutes 50 seconds west 587.19 feet to the South line of said SE $\frac{1}{4}$ of the NW $\frac{1}{4}$; thence along said line South 89 degrees 15 minutes 20 seconds West 425.38 feet to the Northeast corner of said NW $\frac{1}{4}$ of the SW $\frac{1}{4}$; thence along the East line of said $\frac{1}{4}$ - $\frac{1}{4}$ Section South 00 degrees 16 minutes 00 seconds West 1337.00 feet to the Southeast corner of said $\frac{1}{4}$ - $\frac{1}{4}$ Section; thence along the South line of said $\frac{1}{4}$ - $\frac{1}{4}$ Section, South 89 degrees 28 minutes 00 seconds West 1347.95 feet to the point of beginning.



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EXHIBIT B

PERMITTED ENCUMBRANCES

1. Ad valorem taxes for 2005, due and payable October 1, 2005, but not delinquent until December 31, 2005, and for subsequent years.
2. Right of way to Champion International Corporation, recorded in Volume 34, Page 417 in the Probate Office of Shelby County, Alabama.
3. Right of Way to Southern Bell Telephone and Telegraph Company, recorded in Real 360, Page 952, in the Probate Office of Shelby County, Alabama.
4. Easement to Sterrett-Vandiver Water Systems, Inc. recorded in Real 299, Page 259 in the Probate Office of Shelby County, Alabama.
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 Real 142, Page 662, Deed Book 266, Page 459, Deed Book 248, Page 249, Deed Book 243, Page 372, Deed Book 265, Page 334, Real 34, Page 417 and Instrument 1998-22524, all in the Probate Office of Shelby County, Alabama.
6. Non-exclusive road right of way recorded in Real 142 Page 662 in the Probate Office of Shelby County, Alabama.

Shelby County, AL 06/22/2005
State of Alabama

Deed Tax: \$350.00