20050712000347440 1/4 $126.00
Shelby Cnty Judge of Probate,AL
07/12/2005 09:30:00AM FILED/CERT

SEND TAX NOTICE TO:
Daniel L. Wolfe
Richard J. Smaha
Macon W. Taylor
Jason Zarzaur

PREPARED BY:
JAMES R. MONCUS, JR.
ATTORNEY AT LAW
1313 ALFORD AVENUE
BIRMINGHAM, ALABAMA 35226

STATUTORY WARRANTY DEED

STATE OF ALABAMA)

COUNTY OF SHELBY)

KNOW ALL MEN BY THESE PRESENTS, that in consideration of Three Hundred Sixty Thousand and no/100 Dollars ($360,000.00) to the undersigned Grantor

S & M DEVELOPMENT, LLC AND FREEDOM PROPERTIES, LLC

both Alabama Limited Liability Companies (herein referred to as Grantor), in hand paid by the Grantee herein, the receipt of which is hereby acknowledged, the said Grantor does by these presents, grant, bargain, sell and convey unto

Daniel L. Wolfe, a married man, Richard J. Smaha, a married man, Macon W. Taylor, a married man, and Jason Zarzaur, a married man

(herein referred to as Grantee whether one or more) as tenants in common, the following described real estate, situated in Shelby County, Alabama, to-wit:

See attached Exhibit "A"

Subject to:

1. Ad valorem taxes due and payable October 1, 2005.
2. Restrictions, covenants and conditions as set out in instrument(s) recorded in the Probate Office.
3. Rights of Way and easements to Alabama Power Company as recorded in the Probate Office.
4. Easements or Encroachments as shown by recorded plat.

$391,000.00 of the purchase price was paid from a mortgage loan closed simultaneously with delivery of this deed.

And the Grantor will warrant and defend the right and title to the above described property into the Grantee against the claims of the Grantor and all persons claiming by, through or under Grantor, but not against the claims of any others.

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IN WITNESS WHEREOF, the Grantors, by their duly authorized Members, **Grady Scott Lovelady and Jason Eric Spinks**, has signed and sealed this Deed on this the 30th day of June, 2005. Said Members warrant and represent that it is duly authorized under its Articles of Organization to execute and deliver this deed to the Grantee on behalf of the Grantors.

S & M Development, LLC

BY: _____
ITS: Authorized Member

Freedom Properties, LLC

BY: _____
ITS: Authorized Member

BY: Grady Scott Lovelady
ITS: Authorized Member

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned authority, a Notary Public in and for said county in said state, hereby certify that **Grady Scott Lovelady and Jason Eric Spinks**, whose named as Members of **Freedom Properties, LLC, an Alabama Limited Liability Company**, and **Jason Eric Spinks,** whose name as Member of **S & M Development, LLC,** whose names are signed to the foregoing instrument, and who are known to me, acknowledged before me on this day that, being informed of the contents of said instrument, they, as such Member, and with full authority, executed the same voluntarily for and as the act for said Limited Liability Company.

Given under my hand and official seal this the 30th day of June, 2005.

_____
Notary Public

My commission expires: 02/23/2008

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EXHIBIT "A"

LEGAL DESCRIPTION

A parcel of land in the West ½ of the Southwest ¼ of Section 3, Township 24 North, Range 12 East, Shelby County, Alabama, more particularly described as follows: Commence at the Southwest corner of Section 3, Township 24 North, Range 12 East, Shelby County, Alabama and run thence Northerly the West line of said Section 3, 329.73 feet to a rebar corner; thence turn 29 degrees 21 minutes 41 seconds left and run Northwesterly 205.28 feet to a rebar corner; thence turn 37 degrees 31 minutes 35 seconds right and run Northerly 93.00 feet to a rebar corner and the point of beginning of the parcel being described; thence continue along last described course 192.00 feet to a rebar corner; thence turn 19 degrees 00 minutes 51 seconds right and run Northeasterly 617.93 feet to a rebar corner; thence turn 16 degrees 06 minutes 58 seconds right and run Northeasterly 736.80 feet to a rebar corner; thence turn 29 degrees 26 minutes 04 seconds left and run 151.09 feet to a rebar corner; thence turn 155 degrees 53 minutes 11 seconds right and run 613.10 feet to a rebar corner; thence turn 34 degrees 43 minutes 43 seconds left and run 351.94 feet to a rebar corner; thence turn 91 degrees 32 minutes 12 seconds right and run 417.63 feet to a rebar corner; thence turn 26 degrees 05 minutes 03 seconds right and 949.10 feet to the point of beginning; being situated in Shelby County, Alabama.

Less and except:

Parcel A

A parcel of land located in the Southwest ¼ of Section 3, Township 24 North, Range 12 East, Shelby County, Alabama, being more particularly described as follows:
Commence at an iron pin found at the Northwesterly most corner of Lot 8 of Canterbury Estates First Addition as recorded in Map Book 16, Page 67, in the Office of the Judge of Probate, Shelby County, Alabama; thence run Southeasterly along the west boundary of said Canterbury Estates First Addition 613.10 feet to break point on Lot 4 of said subdivision and the point of beginning, an iron pin with yellow plastic cap set; thence turn a left interior angle of 49°10'04" from the previous course and run northwesterly for a distance of 429.43 feet to a ½" iron pin with yellow plastic cap set at the intersection with a wire fence; thence turn an right interior angle of 102°42'57" and run southwesterly along and with said wire fence for a distance of 347.00 feet to a 1" crimped iron pipe found on the northeasterly edge of a right of way for a public road; thence turn a right interior angle of 64°04'34" and run southeasterly for a distance of 500.16 feet to a ½-inch iron pin found; thence turn a right interior angle of 108°01'20" and run northeasterly for a distance of 225.00 feet to the point of beginning, making a closing right interior angle of 85°11'09".

Parcel B

A parcel of land located in the Southwest ¼ of Section 3, Township 24 North, Range 12 East, Shelby County, Alabama, being more particularly described as follows:
Begin at an iron pin found at the northwesterly most corner of Lot 8 of Canterbury Estates First Addition as recorded in Map Book 16, Page 67, in the Office of the Judge of Probate, Shelby County, Alabama; thence run Southeasterly along the west boundary of said Canterbury Estates First Addition 613.10 feet to break point on Lot 4 of said subdivision and the point of beginning, an iron pin with yellow plastic cap set; thence turn a left interior angle of 49°10'04" and run northwesterly for a distance of 429.43 feet to a ½" iron pin with yellow plastic cap set at the intersection with a wire fence;

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thence turn a left interior angle of 77°17'03" and run northeasterly along and with said wire fence for a distance of 327.21 feet to an iron pin found; thence turn a left interior angle of 209°26'04" and run northeasterly for a distance of 151.09 feet to the point of beginning, making a closing left interior angle of 24°06'49".

Utility Easement

The above parcels are subject to a utility easement 30 feet in width situated on the property. Said easement runs along the southwesterly end boundary of Stratford Road and along the southwesterly boundary of Lot 4 in Canterbury Estates First Addition as recorded in Map Book 16, Page 67, in the Office of the Judge of Probate, Shelby County, Alabama.

Also a non-exclusive right of way, described as follows:

A parcel of land located in the Southwest ¼ of Section 3, Township 24 North, Range 12 East, Shelby County, Alabama. Commence at the Northwesterly most corner of Lot 8 of Canterbury Estates, First Addition, as recorded in Map Book 16, Page 67, in the Office of the Judge of Probate, Shelby County, Alabama; thence run Southeasterly along the west boundary of said Canterbury Estates, First Addition, 613.10 feet to break point on Lot 4 of said subdivision; thence turn right 45 degrees 38 minutes 47 seconds leaving said subdivision boundary in a southwesterly direction 225.00 feet; thence turn right 71 degrees 58 minutes 40 seconds and run Northwesterly 213.33 feet to the point of beginning of a 60' right of way; thence continue along last course 286.83 feet to a point on an existing 60' right of way; thence turn left 64 degrees 04 minutes 34 seconds and run Southwesterly along the end of said existing right of way 62.59 feet; thence turn left 106 degrees 33 minutes 14 seconds and run southeasterly 22.78 feet; thence turn left 9 degrees 23 minutes 02 seconds and run Southeasterly 281.34 feet; thence turn 99 degrees 49 minutes 19 seconds and run 50.89 feet to the point of beginning.