THIS INSTRUMENT PREPARED BY:

Send Tax Notice To:

James E. Roberts P. O. Box 430224 Birmingham, Alabama 35243

<u>James</u> E. Roberts P.O. Box 430224 Birmingham, AL 35243

WARRANTY DEED (Without Survivorship)

STATE	OF	ALABAMA
SHELBY COUNTY		

KNOWN ALL MEN BY THESE PRESENTS:

That in consideration of Two Hundred Twenty-five Thousand and no/100 Dollars (\$225,000.00), and other good and valuable consideration to the undersigned Grantor, in hand paid by the Grantee herein, the receipt whereof is acknowledged,

Riley Investment Properties, an Alabama general partnership,

(herein referred to as Grantor), grant, bargain, sell and convey unto,

James E. Roberts,

(herein referred to as Grantee), the following described real estate, situated in Shelby County, Alabama, to-wit:

All its undivided one-fifth interest in and to:

The SE 1/4 of the SE 1/4 of Section 25, Township 18 South, Range 2 West, Shelby County, Alabama.

Mineral and mining rights excepted.

Less and except that portion lying within the road and/or road right of way.

Subject to:

Any and all easements and restrictions of record.

Transmission Line Permit(s) to Alabama Power Company as shown by instrument(s) recorded in Deed Book 163, Page 424 in the Probate Office of Shelby County, Alabama.

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 121, Page 414, in Probate Office.

That certain Option Agreement with Arruth Associates, Inc. Dated April 20, 1998, and 4. all amendments thereto.

A portion of the purchase price for the subject property is being provided by Magic 5. City Title Co., Inc., as qualified intermediary for James E. Roberts, under an IRS Section 1031 Exchange.

The subject property is not the homestead of the Grantor or their spouse.

TO HAVE AND TO HOLD to the said Grantee, his heirs and assigns forever.

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

IN WITNESS WHEREOF, we have hereunto set our hand (s) and seal(s) this the 3

Shelby County, AL 10/07/2005

State of Alabama

Riley Investment Properties,

(Seal)

Deed Tax: \$225.00

By its Managing Partner, Erv Riley

STATE OF ALABAMA SHELBY COUNTY

I, the undersigned, a notary public in and for said county in said state, hereby certify that Erv Riley as Managing Partner of Riley Investment Properties, whose name 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 executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the $\frac{\mathcal{L}}{\mathcal{L}}$ day of $\frac{\mathcal{L}}{\mathcal{L}}$

2005.

[SEAL]

My commission expires: 4-34-06