Shelby County, AL 12/07/2005 State of Alabama

Deed Tax: \$20.00

#### WARRANTY DEED

This instrument was prepared by:

/ B. CHRISTOPHER BATTLES

3150 HIGHWAY 52 WEST

PELHAM, AL. 35124

Send tax notice to: Buck Creek Construction, Inc. PO Box 778 Helena, Alabama 35080

## STATE OF ALABAMA COUNTY OF SHELBY

Know All Men by These Presents: That in consideration of Four hundred five thousand and no/100 (\$405,000.00) to the undersigned grantor, in hand paid by the grantee herein, the receipt where is acknowledged, I/We, Joseph V. McSweeney, a married man (herein referred to as grantor, whether one or more), grant, bargain, sell and convey unto Buck Creek Construction, Inc. (herein referred to as grantee, whether one or more) the following described real estate, situated in Shelby County, Alabama, to-wit:

# See Exhibit "A" Legal Description attached hereto and made a part hereof.

Subject to mineral and mining rights if not owned by Grantor.

Subject to existing easements, restrictions, set back lines, rights of way, limitations, if any of record.

This property does not constitute the homestead of the grantors nor his spouse as defined in Section 6-10-3, Code of Alabama (1975).

\$385,000.00 of the purchase price recited above was paid from mortgage loan closed simultaneously herewith.

To Have and to Hold to the said grantee, his, her or their heirs and assigns forever.

And I do, for myself and for my heirs, executors and administrators, covenant with said grantee, his, her or their heirs and assigns, that I am lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise stated above; that I have a good right to sell and convey the same as aforesaid; that I will, and my heirs, executors and administrators shall warrant and defend the same to the said grantee, his, her or their heirs and assigns forever, against the lawful claims of all persons.

In Witness Whereof, I (we) have hereunto set my (our) hand(s) and seal(s) this 21<sup>st</sup> day of September, 2005.

Joseph V. McSweeney

### STATE OF ALABAMA COUNTY OF SHELBY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that **Joseph V. McSweeney, a married man** whose name(s) is/are signed to the foregoing conveyance, and who is/are known to me, acknowledged before me on this day that, being informed of the contents of this conveyance, he/she/they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this 21st day of September, 2005.

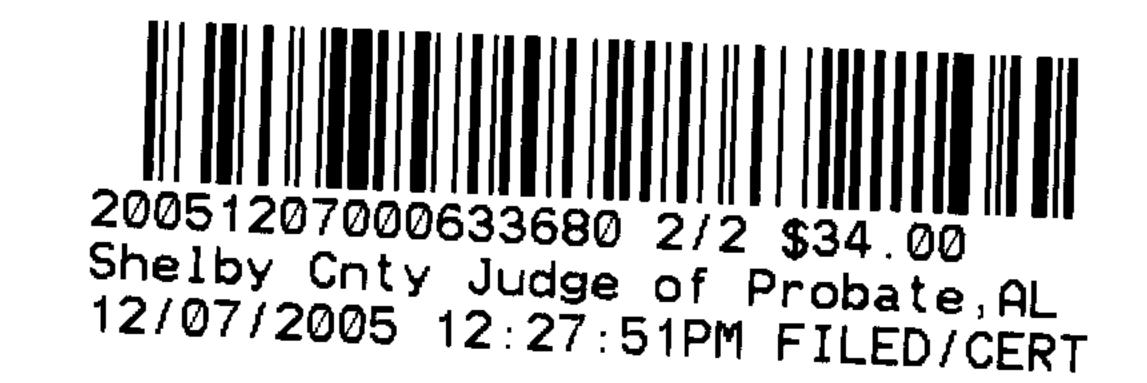
Notary Public

My Commission Expires: 02-26-05

STEPHANE JONES

Notary Public - Alabama, State At Large

My Commission Expires 2 / 26 / 2009



# EXHIBIT "A" LEGAL DESCRIPTION

The West 1/2 of the Northeast 1/4 of the Northeast 1/4 of Section 4, Township 21 South, Range 2 West, less and except that part in the public Right-of-way and subject to an easement for ingress and egress being more particularly described as follows: the South 50 feet of the above described property lying East of the 60 foot public road.

ALSO:

Begin at the Northeast corner of the Southeast 1/4 of the Northeast 1/4 of Section 4, Township 21 South, Range 2 West; Thence run North 88 deg. 10 min. 11 sec. West 931.79 feet to its intersection with the Northeasterly right of way line of a road; thence run South 49 deg.43 min. 42 sec. East along said right of way line 51.77 feet to the point of beginning of a curvey to the right, said curve having a central angle of 06 deg. 12 min. 27 sec. and a radius of 952.11 feet; thence run along the arc of said curve 103.15 feet; thence run South 43 deg. 31 min. 15 sec. East along said right of way line 214.23 feet to the point of beginning of a curve to the left, said curve having a central angle of 04 deg. 21 min. 45 sec. and a radius of 1282.72 feet; thence run along the arc of said curve 97.67 feet; thence run South 47 deg. 53 min. 00 sec. East along said right of way line 168.20 feet to the point of beginning of a curve to the right, said curve having a central angle of 06 deg. 52 min. 29 sec. and a radium of 962.47 feet; thence run along the arc of said curve 103.48 feet; thence run South 41 deg. 00 min. 32 sec. East along said right of way line 241.89 feet to the point of beginning of a curve to the right, said curve having a central angle of 10 deg. 29 min. 50 sec. and a radius of 1118.58 feet; thence run along the arc of said curve 204.94 feet; thence run South 30 deg. 30 min. 42 sec. East along said right of way line 244.16 feet to its intersection with the East line of said 1/4-1/4 Section; thence run North 00 deg. 00 min. 00 sec. East along said right of way line 1043.63 feet to the point of beginning; being situated in Shelby County, Alabama.

ALSO:

LESS AND EXCEPT MINERAL AND MINING RIGHTS in and to the following: Begin at the Northeast corner of the Northwest 1/4 of the Northeast 1/4 of Section 4, Township 21 South, Range 2 West, thence Southerly along the East line of said 1/4-1/4 section a distance of 1,214.19 feet, more or less, to the centerline of a railroad grade now being used as a roadway; thence 91 degrees 37 minutes 30 seconds right along said centerline 246.66 feet; thence 6 degrees 41 minutes 30 seconds right continue along said centerline a distance of 137.30 feet; thence 17 degrees 22 minutes left continuing along said centerline 28.9 feet to the intersection with a road running Northerly; thence 93 degrees 06 minutes 30 seconds right, Northerly along the last mentioned road 356.70 feet; thence 44 degrees 26 minutes 30 seconds right 492.29 feet; thence 21 degrees 46 minutes left for 382.80 feet; thence 39 degrees 38 minutes (deed), 38 degrees 30 minutes 33 seconds (meas) left 95.8 feet (deed) 94.95 feet (meas) to the intersection with the North line of said 1/4-1/4 section; thence 115 degrees 24 minutes (deed) 114 degrees 18 minutes 44 seconds (meas) right leaving last mentioned road in an Easterly direction along said North line 66.5 feet more or less to the point of beginning, excepting that part that lies within the roadways. All situated in Shelby County, Alabama.