

**THIS INSTRUMENT PREPARED BY:**

HUGH E. HOLLADAY  
12 Edwin Holladay Place  
Pell City, Alabama 35125

**Send Tax Notice To:**

Bruce Ervin  
3850 Research Way  
Pell City, AL 35125

**WARRANTY DEED**

STATE OF ALABAMA  
SHELBY COUNTY

KNOW ALL MEN BY THESE PRESENTS, That in consideration of Two-Hundred Fifty-five Thousand and No/100 (\$255,000.00) Dollars to the undersigned grantor (whether one or more), in hand paid by the grantee herein, the receipt whereof is acknowledged, I, Roy H. Holladay, II, a married man, (herein referred to as grantor, whether one or more), grant, bargain, sell and convey unto Bruce Ervin, William C. Jones and Lee Grimes, (herein referred to as grantee, whether one or more), the following described real estate, situated in Shelby County, Alabama, to-wit:

THAT PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE 1/4 OF SE 1/4) LYING EAST AND SOUTH OF KELLY CREEK BEING IN SECTION 10, TOWNSHIP 18 SOUTH, RANGE 2 EAST, SHELBY COUNTY, ALABAMA.

ALSO: THAT PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (SW 1/4 OF SW 1/4); AND THAT PART OF THE NORTH ONE-HALF OF THE SOUTHWEST QUARTER (N 1/4 OF SW 1/4) AND FOUR (4) ACRES ALONG THE NORTH BOUNDARY OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (SE 1/4 OF SW 1/4) ALL LYING SOUTH AND EAST OF KELLY CREEK AND WEST OF SIMMONS MILL ROAD, ALSO KNOWN AS COUNTY ROAD 57, BEING IN SECTION 11, TOWNSHIP 18 SOUTH, RANGE 2 EAST, SHELBY COUNTY, ALABAMA.

THE ABOVE DESCRIBED PROPERTY CONTAINING 85 ACRES MORE OR LESS.

THE ABOVE REFERENCED PROPERTY DOES NOT CONSTITUTE THE HOMESTEAD OF GRANTOR NOR HIS SPOUSE.

**EASEMENT:**

ALSO AN EASEMENT FOR THE PURPOSE OF INGRESS AND EGRESS. SAID EASEMENT BEING DESCRIBED AS FOLLOWS: THAT PORTION OF A PUBLIC ROAD DESIGNATED AS SHELBY COUNTY HIGHWAY 57 COMMENCING AT THE INTERSECTION OF THE SAID SHELBY COUNTY HIGHWAY 57 AND KELLY CREEK IN SECTION 11, TOWNSHIP 18 SOUTH, RANGE 2 EAST AND CONTINUING SOUTH ALONG THE SAID SHELBY COUNTY HIGHWAY 57 IN SECTION 11, TOWNSHIP 18 SOUTH, RANGE 2 EAST UNTIL IT INTERSECTS WITH THE NORTH BOUNDARY LINE OF THAT CERTAIN NON-EXCLUSIVE PRIVATE ROAD EASEMENT GRANTED TO THOMAS MATTHEW ZOPFI, III AND MARIANNE A. ZOPFI BY KIMBERLY-CLARK CORPORATION



AND MORE PARTICULARLY DESCRIBED IN INSTRUMENT #1992-27937 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA, SITUATED IN SHELBY COUNTY, ALABAMA.

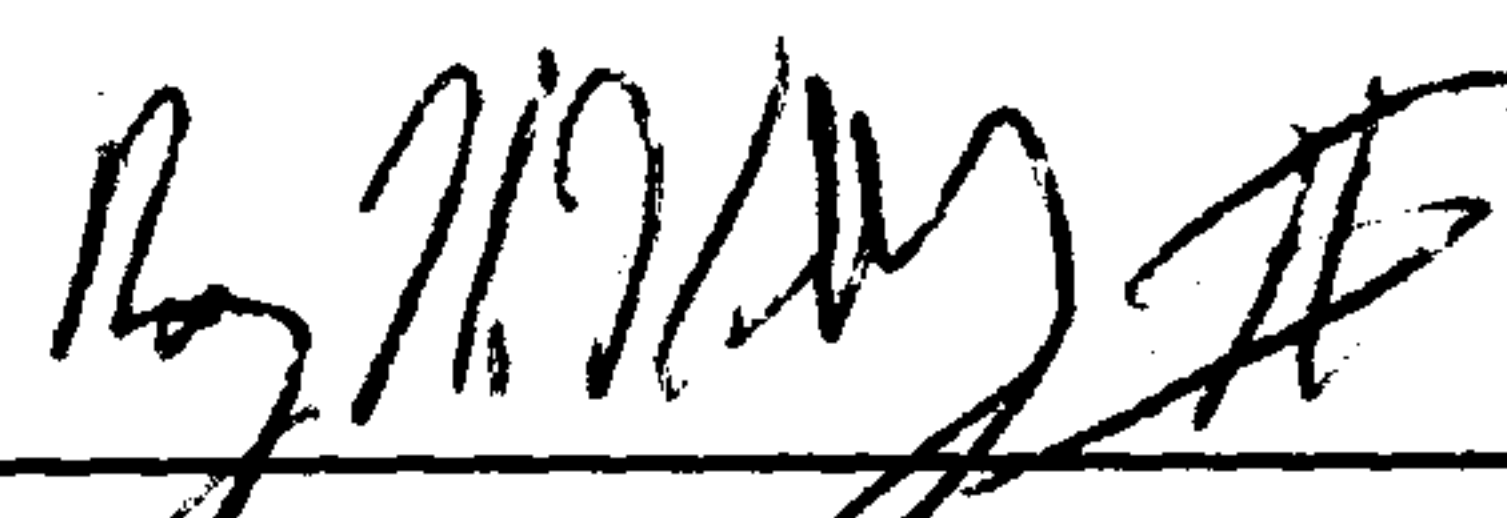
Said easement shall be a nonexclusive easement. The easement herein granted shall be deemed appurtenant to and run with the ownership of the above described real property and their respective heirs, successors, assigns, and successors in title to the property and tenants, lessees, agents, employees, guests, and invitees of the parties hereto and their successors in title and guests and invitees of tenants and lessees residing on said property.

**The purchase of the herein described real property is being financed in whole or in part by the proceeds of a purchase money mortgage being executed simultaneously herewith.**

TO HAVE AND TO HOLD to the said Grantees, their heirs and assigns forever.

And I do for myself and for my heirs, executors and administrators covenant with the said Grantees, their heirs and assigns, that I am lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted 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 Bruce Ervin, William C. Jones and Lee Grimes, their heirs and assigns forever.

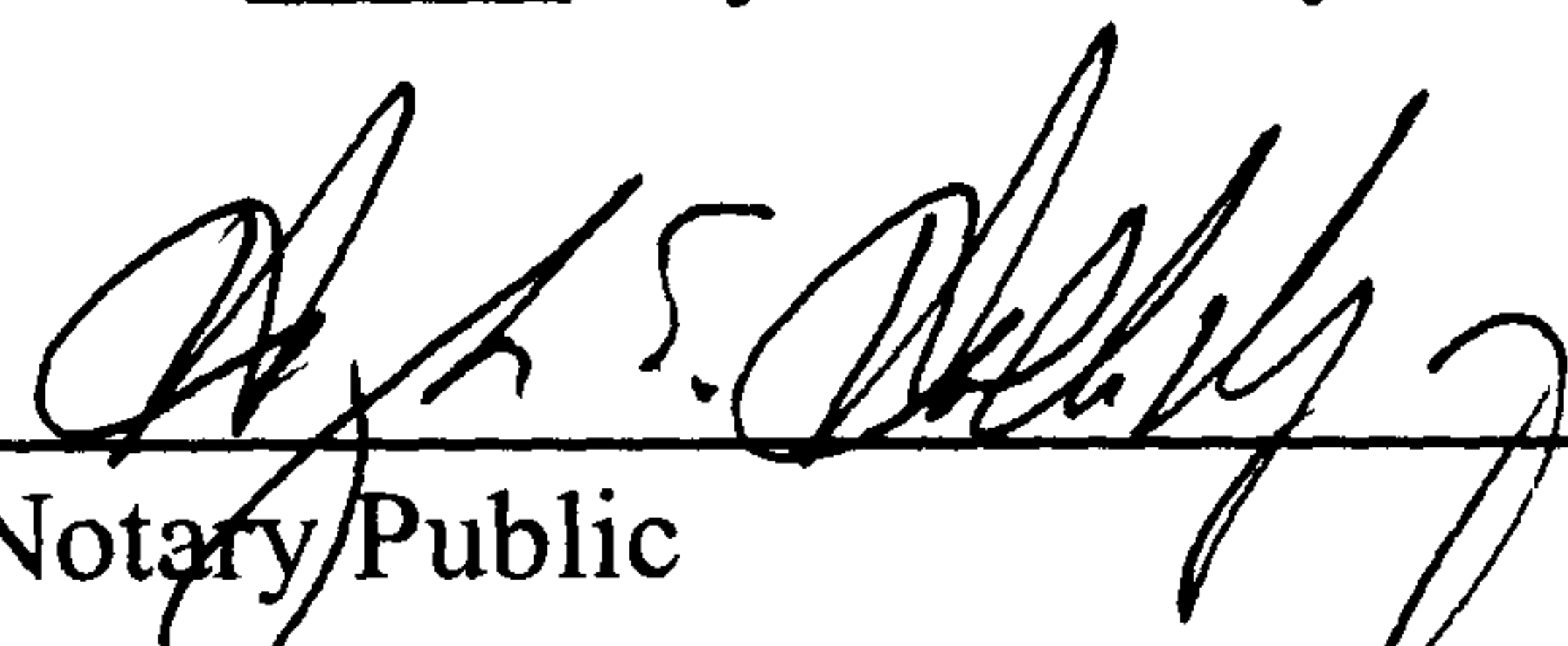
IN WITNESS WHEREOF, I have hereunto set my hand and seal, this 5 day of January, 2006.

  
\_\_\_\_\_  
Roy H. Holladay, II

STATE OF ALABAMA  
ST. CLAIR COUNTY

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Roy H. Holladay, II, 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 said conveyance, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 5 day of January, 2006.

  
\_\_\_\_\_  
Notary Public

My commission expires: 11/2/2009