


SEND TAX NOTICE TO:
Randal H. Sellers
Darla G. Sellers
3247 Rockledge Road
Birmingham, AL 35213


20060123000034190 1/3 \$357.00
Shelby Cnty Judge of Probate, AL
01/23/2006 09:08:23AM FILED/CERT

WARRANTY DEED

STATE OF ALABAMA

JEFFERSON COUNTY

KNOW ALL MEN BY THESE PRESENTS.

That for and in consideration of Three Hundred Forty Thousand and No/100 (\$340,000.00) DOLLARS, to the undersigned, **SIDNEY W. SMYER, III**, a married man (hereinafter referred to as "Grantor"), in hand paid by **RANDAL H. SELLERS and DARLA G. SELLERS** (hereinafter referred to as "Grantees"), the receipt, adequacy and sufficiency whereof are hereby acknowledged, the said Grantor does by these presents, grant, bargain, sell and convey unto the said Grantees, **RANDAL H. SELLERS and DARLA G. SELLERS**, the following real estate, located and situated in Shelby County, Alabama:

See Exhibit "A" Attached Hereto and Incorporated Herein by Reference.

SUBJECT TO:

1. Ad valorem taxes for the year 2006 which are a lien but not yet due and payable.
2. Roadway for ingress and egress in Instrument #2000-30651.
3. Right of way to Alabama Power Company as set out in instrument(s) recorded in Deed Book 221, Page 119 and Deed Book 233, Page 128.
4. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto, together with any release of liability for injury or damage to persons or property as a result of the exercise of such rights as recorded in Deed Book 285, Page 722.
5. Easements, rights as set out in Deed Book 285, Page 722.
6. Right of Way granted to Hollybrook Lake Corporation as recorded in Deed Book 326, Page 427.
7. Less and except portion lying within the right-of-way of a private or public road.
8. Riparian and other rights created by the fact that the subject property fronts on Hollybrook Lake.
9. Terms, conditions, reservations and agreements as set out in that certain resolution of Hollybrook Lake Corporation as recorded in Real Volume 41, Page 987.
10. Restrictions appearing of record in Deed Book 222, page 175.
11. Easement as reserved in deed recorded in Deed Book 296, Page 853.

Shelby County, AL 01/23/2006
State of Alabama

Deed Tax: \$340.00

David Jason



20060123000034190 2/3 \$357.00
Shelby Cnty Judge of Probate, AL
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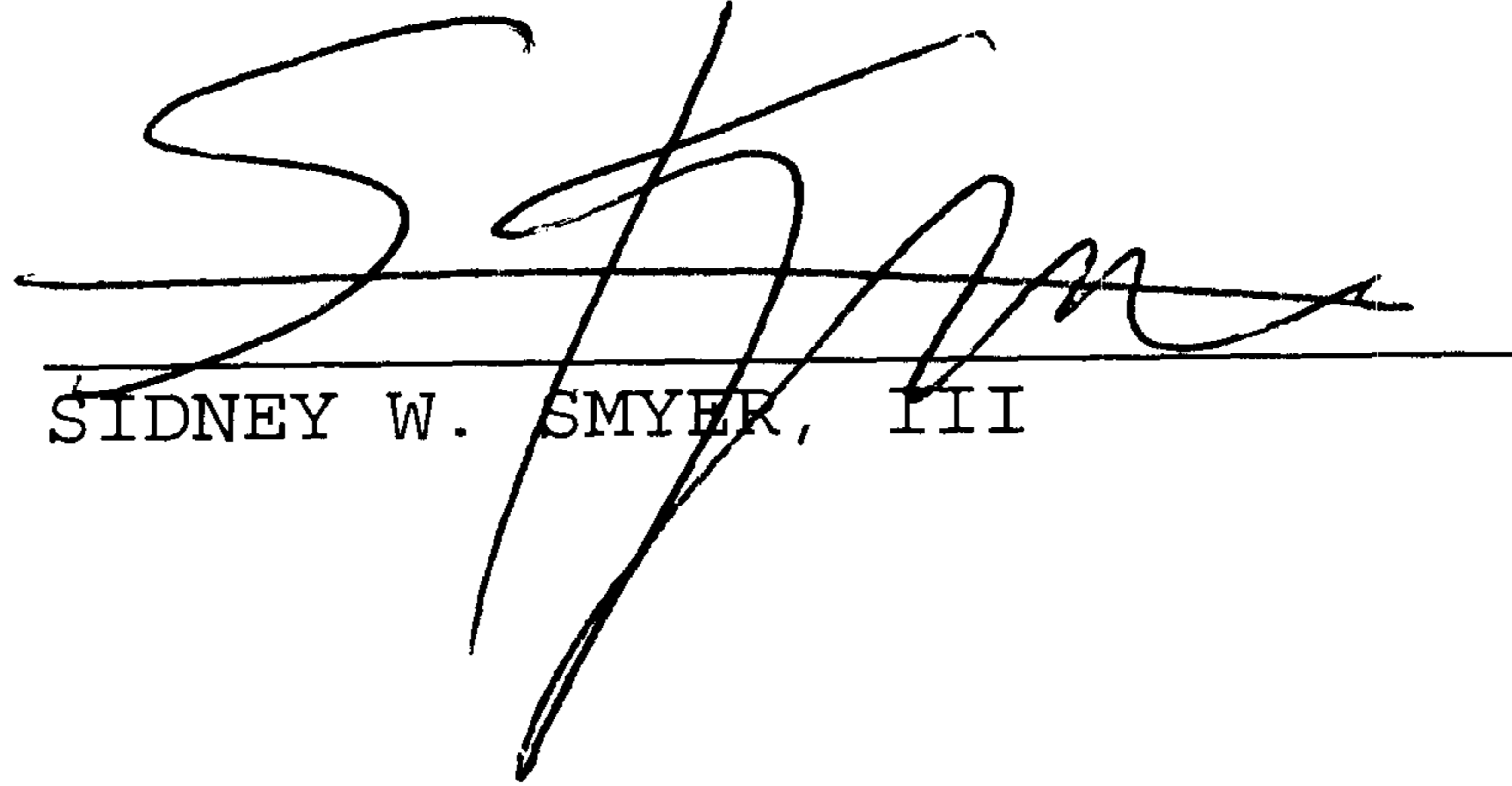
- 12. Right of Way to Alabama Power Company as set out in Instrument(s) recorded in Instrument #1999-12690.
- 13. Restrictions appearing of record in Instrument #1998-20485; Instrument #1998-20486; Instrument #1999-44785; Instrument #1999, Page 44784.
- 14. Easement agreement in Instrument #1999-44788.

The property conveyed herein does not constitute the homeplace of the grantor or his spouse.

TO HAVE AND TO HOLD the said described property unto the said Grantee, his heirs and assigns forever.

And said Grantor does for himself, his heirs and assigns, covenant with said Grantee, his heirs and assigns, that he is lawfully seized in fee simple of said premises, that they are free from all emcumbrances, that he has a good right to sell and convey the same as aforesaid, and that he will and his heirs and assigns shall warrant and defend the same to the said Grantee, his heirs and assigns forever against the lawfull claims of all persons.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 11th day of January, 2006.



SIDNEY W. SMYER, III

STATE OF ALABAMA

JEFFERSON COUNTY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that SIDNEY W. SMYER, III, a married man, 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 executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 11th day of January, 2006.



NOTARY PUBLIC

My commission expires: NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: Aug 27, 2008
BONDED THRU NOTARY PUBLIC UNDERWRITERS

THIS INSTRUMENT WAS PREPARED BY:
DAVID F. OVSON, Attorney at Law
1130 South 22nd Street
Ridge Park Building, Ste. 4800
Birmingham, AL 35205



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EXHIBIT "A"

A tract of land being situated in the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 13, Township 18 South, Range 1 West and in the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ and the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 18, Township 18 South, Range 1 East, Shelby County, Alabama being more particularly described as follows:

Commence at the Southwest corner of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 13, Township 18 South, Range 1 West, Shelby County, Alabama, said corner also being the Northeast corner of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 24, Township 18 South, Range 1 West, and run South along the East line of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 24 for 0.73 feet; thence turn 140 degrees 12 minutes 10 seconds left and run Northeasterly for 121.84 feet; thence turn 5 degrees 18 minutes 45 seconds left and run Northeasterly for 223.85 feet; thence turn 00 degrees 14 minutes 59 seconds right and run Northeasterly for 76.15 feet; thence turn 9 degrees 41 minutes 46 seconds left and run Northeasterly along the centerline of an existing graveled roadway for 81.75 feet; thence turn 21 degrees 31 minutes 47 seconds right and run Northeasterly along said roadway for 179.97 feet; thence turn 3 degrees 29 minutes 21 seconds right and run Northeasterly along said roadway for 56.55 feet; thence turn 22 degrees 55 minutes 32 seconds right and run Northeasterly along said roadway for 49.20 feet; thence turn 7 degrees 32 minutes 10 seconds right and run Northeasterly along said roadway for 65.51 feet; thence turn 21 degrees 32 minutes 37 seconds left and run Northeasterly along said roadway for 61.74 feet; thence turn 49 degrees 16 minutes 05 seconds right and run Southeasterly along said roadway for 172.14 feet; thence turn 8 degrees 49 minutes 27 seconds right and run Southeasterly along said roadway for 25.91 feet; thence turn 4 degrees 02 minutes 41 seconds left and run Southeasterly along said roadway for 51.70 feet; thence turn 22 degrees 17 minutes 52 seconds left and run Easterly along said roadway for 53.97 feet; thence turn 33 degrees 18 minutes 17 seconds left and run Northeasterly for 62.52 feet; thence turn 44 degrees 41 minutes 39 seconds left and run Northerly along said roadway for 26.34 feet; thence turn 22 degrees 41 minutes 18 seconds left and run Northerly along said roadway for 208.33 feet; thence turn 15 degrees 06 minutes 20 seconds right and run Northerly along said roadway for 57.84 feet; thence turn 24 degrees 18 minutes 43 seconds right and run Northeasterly along said roadway 52.84 feet; thence turn 107 degrees 06 minutes 24 seconds right and run Southeasterly 106.26 feet to a point on the shore line of Hollybrook Lake and the point of beginning of the tract of land herein described; thence turn 180 degrees 00 minutes 00 seconds right and run Northwesterly 106.26 feet to a point on the centerline of an existing gravel roadway ; thence turn 94 degrees 41 minutes 09 seconds right and run Northeasterly along said roadway 38.95 feet; thence turn 20 degrees 32 minutes 57 seconds right and run Northeasterly along said roadway 134.43 feet; thence turn 30 degrees 37 minutes 10 seconds left and run Northeasterly along said roadway 133.19 feet; thence turn 06 degrees 58 minutes 02 seconds right and run Northeasterly along said roadway 110.74 feet; thence turn 13 degrees 35 minutes 38 seconds left and run Northeasterly along said roadway 150.80 feet; thence turn 35 degrees 27 minutes 34 seconds right and run Northeasterly along said roadway 61.90 feet; thence turn 68 degrees 49 minutes 35 seconds right and run Southeasterly along said road 57.71 feet; thence turn 23 degrees 33 minutes 12 seconds right and run Southeasterly along said roadway 104.89 feet; thence turn 25 degrees 20 minutes 01 seconds left and run Southeasterly along said roadway 123.42 feet; thence turn 08 degrees 18 minutes 12 seconds right and run Southeasterly along said roadway 137.02 feet; thence turn 57 degrees 56 minutes 54 seconds right and run Southwesterly 151.63 feet; thence turn 28 degrees 39 minutes 01 seconds left and run Southerly 150.07 feet; thence turn 50 degrees 20 minutes 28 seconds right and run Southwesterly 169.89 feet to a point on the shore line of Hollybrook Lake; thence turn right and run along the shore line of Hollybrook Lake to the point of beginning.

Less and Except any part of said land lying in the public road right-of-way.

Situated in Shelby County, Alabama.