

This instrument was prepared by:

Mike T. Atchison
P O Box 822
Columbiana, AL 35051

WARRANTY DEED

STATE OF ALABAMA)

KNOW ALL MEN BY THESE PRESENTS

SHELBY COUNTY

That in consideration of **ONE HUNDRED FIFTY NINE THOUSAND and NO/00 Dollars** (\$159,000.00), and other good and valuable considerations to the undersigned grantor, in hand paid by grantee herein, the receipt whereof is acknowledged, I or we,

ASHLEY P PHILLIPS AND WIFE, STEPHANIE LYNN PHILLIPS

grant, bargain, sell and convey unto,

ROCKY W KERSTETTER

the following described real estate, situated in: SHELBY County, Alabama, to-wit:

SEE EXHIBIT "A" FOR LEGAL DESCRIPTION.

Situated in SHELBY County, Alabama.

Subject to restrictions, easements and rights of way of record.

This property constitutes no part of the homestead of the grantor, or of his spouse.

Subject to taxes for 2005 and subsequent years, easements, restrictions, rights of way and permits of record.

\$159,000.00 of the above-recited consideration was paid from a first mortgage recorded simultaneously herewith.

TO HAVE AND TO HOLD to the said grantee, his, her or their heirs and assigns forever.

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

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 31ST day of January, 2006.

STATE OF ALABAMA SHELBY COUNTY

ASHLEY P PHILLIPS

I, the undersigned authority, MICHAEL T ATCHISON, a Notary Public in and for said County, in said State, hereby certify that

ASHLEY P PHILLIPS AND STEPHANIE LYNN PHILLIPS whose names are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 31st day of January. 2066.

Notary Public

My Commission Expires: 10-16-08

20060203000057650 2/2 \$15.00 Shelby Cnty Judge of Probate, AL 02/03/2006 03:40:02PM FILED/CERT

EXHIBIT "A" LEGAL DESCRIPTION

A parcel of land in the North Half of the SE 1/4 of Section 26, Township 21 South, Range 1 West, being a part of the same land described in a deed to Harry L. Phillips, said parcel of land being more particularly described as follows:

Commencing at the Northwest corner of the SE 1/4 of the SE 1/4 of said Section 26; thence South 89 degrees 45 minutes 24 seconds West along the South line of the NW 1/4 of the SE 1/4 of said Section 26, a distance of 215.64 feet to a point on the East right of way of the Egg and Butter Road; thence along a curve to the left, in said right of way, having a radius of 1175.35 feet an a chord bearing of North 09 degrees 03 minutes 14 seconds West, an arc length of 7.02 feet to the point of beginning; thence North 09 degrees 13 minutes 30 seconds West a distance of 268.72 feet to a point; thence North 16 degrees 49 minutes 45 seconds East a distance of 99.15 feet to a point on the Southeast right of way of State Highway No., 25; thence along a curve to the left, in said right of way, having a radius of 5855.88 feet and a chord bearing of North 49 degrees 15 minutes 29 seconds East an arc length of 523.28 feet to a 1/2-inch rebar, found, with a cap stamped "Wheeler 0502"; thence South 11 degrees 00 minutes 43 seconds East a distance of 550.02 feet to a 1/2-inch rebar found, with a cap stamped "S.Wheeler CA 0502"; thence South 71 degrees 59 minutes 28 seconds West a distance of 509.70 feet to the point of beginning. Situated in Shelby County, Alabama.

LESS AND EXCEPT:

Property conveyed in deed recorded in Inst. No. 20050906000456810 in Probate Office of Shelby County, Alabama, more particularly described as follows:

A parcel of land in the Northeast quarter of the Southeast quarter of Section 26, Township 21 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows:

commencing at the intersection of the West line of the Alabama Gas Corp, Parcel (the old railroad right of way) and South right of way of Alabama State No. 25; thence along a curve to the right in the South right of way of Alabama State Highway No. 25, having a radius of 5855.88 feet and a chord bearing of South 44 degrees 25 minutes 32 seconds West, an arc length of 464.52 fet to a 1/2" rebar found, with a cap stamped "S. Wheeler CA 0502", at the point of beginning; thence along a curve to the right in the South right of way of Alabama State Highway No. 25, having a radius of 5855.88 feet and a chord bearing of South 48 degrees 21 minutes 16 seconds West, an arc length of 338.56 feet to a 1/2" rebar set; thence South 18 degrees 00 minutes 32 seconds East, a distance of 413.18 feet to a 1/2" rebar set; thence North 71 degrees 59 minutes 28 seconds East, a distance of 242.75 feet to a 1/2" rebar found, with a cap stamped "S. wheeler CA 0502"; thence North 11 degrees 00 minutes 43 seconds West, a distance of 553.02 feet to the point of beginning.

Acording to the survey of Sid Wheeler, dated August 25, 2005.