

STATE OF ALABAMA) JEFFERSON COUNTY)

WARRANTY DEED TENANTS IN COMMON WITH RIGHTS OF SURVIVORSHIP

KNOW ALL MEN BY THESE PRESENTS, That for and in consideration of ONE MILLION FOUR HUNDRED THOUSAND and no/100 Dollars (\$1,400,000.00) to the GRANTOR in hand paid by the GRANTEES herein, the receipt whereof is acknowledged, WILLIAM R. DEXHEIMER, a single person (GRANTOR) does grant, bargain, sell and convey unto JOSEPH M. BROWN, JR. and SUSAN ELIZABETH BAKER BROWN (GRANTEES) as Tenants in Common and with equal rights and interests for the period or term that the said GRANTEES shall both survive and unto the survivor of the said GRANTEES, at the death of the other, in and to the following described real estate situated in SHELBY COUNTY, ALABAMA to-wit:

A TRACT OF LAND SITUATED IN THE NW QUARTER OF SECTION 35, TOWNSHIP 19 SOUTH RANGE 3 WEST, IN SHELBY COUNTY, ALABAMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NW CORNER OF SECTION 35, THENCE RUN SOUTH ALONG THE WEST LINE OF SAID SECTION FOR 1521.01 FEET; THENCE 90 DEGREES 00' 00" LEFT FOR 1447.78 FEET TO THE POINT OF BEGINNING; THENCE 103 DEGREES 56' 42" LEFT FOR 264.00 FEET, MORE OR LESS TO THE 419.00 FOOT CONTOUR ELEVATION (MEAN SEA LEVEL DATUM); THENCE IN A SOUTHEASTERLY, NORTHEASTERLY, EASTERLY, SOUTHEASTERLY, SOUTHWESTERLY DUIRECTION FOR 1112 FEET MORE OR LESS ALONG SAID 419.00 FOOT CONTOUR TO A POINT; THENCE LEAVING SAID CONTOUR SOUTH 36 DEGREES 52' 00" WEST FOR 80 FEET, MORE OR LESS TO A POINT; THENCE 19 DEGREES 41' 00" WEST 80 FEET MOREE OR LESS TO A POINNT; THENCE 19 DEGREES 41' 00" LEFT FOR 115.16 FEET; THENCE 9 DEGREES 26' 00" LEFT FOR 194.95 FEET TO THE RIGHT OF WAY OF A PROPOSED ROAD; THENCE 113 DEGREES 32' 00" RIGHT TANGNET TO A CURVE TO THE LEFT, SAID CURVE HAVING A CENTRAL ANGLE OF 10 DEGREES 25' 42" AND A RADIUS OF 504.55 FEET; THENCE ALONG THE ARC OF SAID CURVE AND PROPOSED RIGHT-OF-WAY FOR 91.83 FEET TO A CURVE TO THE LEFT, SAID CURVE HAVING A CENTRAL ANGLE OF 64 DEGREES 13' 18" AND A RADIUS OF 130.00 FEET; THENCE ALONG THE ARC OF SAID CURVE AND PROPOSED RIGHT OF WAY FOR 145.71 FEET; THENCE 51 DEGREES 32' 40" FROM TANGENT TO TANGENET LEAVING SAID PROPOSED RIGHT OF WAY TO A CURVE TO THE RIGHT, SAID CURVE HAVING A CENTRAL ANGLE OF 65 DEGREES 59' 59" WITH A RADIUS OF 150 FEET; THENCE 172.79 FEET ALONG THE ARC OF SAID CURVE; THENCE 88 DEGREES 45' 39" LEFT TO THE TANGENT OF SAID CURVE FOR 184.83 FEET TO THE POINT OF BEGINNING.

Subject to:

- Ad Valorem Taxes due and payable October 01, 2006, and thereafter;
- Mineral and mining rights not owned by the GRANTOR.
- Agreement with Alabama Power Company recorded in Real 126, Page 130.
- Restrictions, Covenants and Restrictions regarding Alabama Power 4. Company, appearing of record in Real 177, Page 615.
- Mineral and mining rights incident thereto recorded in Vol. 312, page 279 and Vol. 127, Page 140.
- Subject to the modification specifically provided in subparagraph (a), said property conveyed by this instrument is hereby subjected to the Declaration of Protective Covenants, Agreements, Easements, Charges and Liens for Riverchase Residential, recorded in Misc. Book 14, beginning at page 536, as amended by Amendment No 1 recorded in Misc. Book 17, beginning at page 550. (a) Sections 12.20 and 12.21 of said Declaration shell not apply to Grantee herein.
- Restrictions and Reservations appearing of record in Vol. 312, Page 279.

TO HAVE AND TO HOLD unto the said GRANTEES, as Tenants in Common and with equal rights and interests for the period or term that said GRANTEES shall both survive and unto the survivor of the said GRANTEES, at the death of the other, their heirs and assigns forever; it being the intention of the parties to this conveyance, that (unless the tenancy in common hereby created is severed or terminated by and through the act of both GRANTEES herein in concert during the joint lives of the GRANTEES herein) in the event one Grantee herein survives the other, the entire interest in fee simple shall pass to the surviving Grantee, and if one does not survive the other, then the heirs and assigns of the GRANTEES herein shall take as Tenants in Common.

IN WITNESS WHEREOF, the said GRANTORS have caused this conveyance to be executed this 18TH day of OCTOBER, 2006.

WILLIAM R.

WILLIAM DEXHEIMER

Shelby County, AL 10/27/2006 State of Alabama

20061027000532470 2/2 \$1414.00 Shelby Cnty Judge of Probate, AL 10/27/2006 03:58:27PM FILED/CERT

STATE OF ALABAMA) JEFFERSON COUNTY)

I, GENE W. GRAY, JR., a Notary Public in and for said County in said State, hereby certify that whose name as Attorney in Fact for WILLIAM R. DEXHEIMER under that certain Durable Power of Attorney recorded on OCTOBER 27^m , 2006, in INST# 20061021000532460in the Probate Office of Shelby County, Alabama, is signed to the foregoing instrument and is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, she, in her capacity as such Attorney in Fact, executed the same voluntarily for and as the act of WILLIAM R. DEXHEIMER on the day the same bears date.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE THE 18TH DAY OF OCTOBER,

2006.

Commission Expires: 11/09/06

PREPARED BY: GENE W. GRAY, JR. 2100 SOUTHBRIDGE PARKWAY, SUITE 338 BIRMINGHAM, AL 35209 (205) 879-3400

SEND TAX NOTICE TO: JOSEPH'M. BROWN, JR. SUSAN ELIZABETH BAKER BROWN P.O. BOX 66705 MOBILE, AL 36660 #11-7-35-0-003-002.017