


4492340

Send Tax Notice To:  
Alabaster Land Company, LLC  
c/o Osborn Enterprises  
4766 Highway 280  
Birmingham, Alabama 35242

STATE OF ALABAMA )

SHELBY COUNTY )

  
20070320000127280 1/6 \$4518.50  
Shelby Cnty Judge of Probate, AL  
03/20/2007 01:24:59PM FILED/CERT

**STATUTORY WARRANTY DEED**

**THIS IS A STATUTORY WARRANTY DEED** executed and delivered this \_\_\_\_ day of February, 2007, by **MARK EDWARD OSBORN**, a married man (hereinafter referred to as the "**Grantor**") to **ALABASTER LAND COMPANY, LLC**, an Alabama limited liability company (hereinafter referred to as the "**Grantee**").

**KNOW ALL MEN BY THESE PRESENTS:**

That in consideration of the sum of One Hundred and No/100 Dollars (\$100.00) and other good and valuable consideration in hand paid by Grantee to Grantor, the receipt and sufficiency of which are hereby acknowledged by Grantor, the Grantor does by these presents, grant, bargain, sell and convey unto the Grantee, **an undivided fifty percent (50%) interest** in and to that certain real property situated in the City of Alabaster, Shelby County, Alabama and more particularly described on **Exhibit "A"** attached hereto and made a part hereof (the "**Property**");

**TOGETHER WITH** all appurtenances thereto belonging or in anywise appertaining and all right, title and interest of Grantor in and to all roads, alleys and ways bounding the Property.

This conveyance is subject to the following:

1. Ad valorem taxes for tax year 2007 and subsequent years;
2. Existing easements, restrictions, set-back lines, rights of way and limitations, if any, of record.

**TO HAVE AND TO HOLD**, to the said Grantee, its successors and assigns forever.

Grantor does for himself, his heirs, representatives, executors, successors and assigns, covenant with Grantee, its successors and assigns, that Grantor, and his heirs, representatives, executors successors and assigns, shall warrant and defend the same to Grantee, its successors and assigns, forever, against the lawful claims (unless otherwise noted above) of all persons claiming by, through, or under Grantor, but not further or otherwise.

No Portion of the Property constitutes, nor has it ever constituted, the homestead of Grantor or his spouse.

This Deed is intended to convey to Grantee all of Grantor's undivided 50% interest in the Property as described on the attached Exhibit A.

**IN WITNESS WHEREOF**, the Grantor has caused this Statutory Warranty Deed to be executed as of the date first written above.

**GRANTOR:**




**MARK EDWARD OSBORN**

**STATE OF ALABAMA** )

Shelby )  
**COUNTY** )

I, the undersigned, a Notary Public, in said County, in said State, hereby certify that **MARK EDWARD OSBORN**, whose name is signed to the foregoing Statutory Warranty Deed, and who is known to me, acknowledged before me on this day that, being informed of the contents of said Deed, he executed the same voluntarily on the day the same bears date.

Given under my hand and seal this the 23<sup>rd</sup> day of February, 2007.

  
Notary Public

My Commission Expires: 2/17/11

[Notary Seal]

THIS INSTRUMENT PREPARED (WITHOUT THE  
BENEFIT OF A TITLE SEARCH) BY:

Chervis Isom  
Baker, Donelson, Bearman, Caldwell & Berkowitz, PC  
420 North 20<sup>th</sup> Street, Suite 1600  
Birmingham, Alabama 35203-5202



**EXHIBIT "A"**

**(LEGAL DESCRIPTION)**

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**PARCEL I:**

The W-1/2 of NW-1/4 of SE-1/4, Section 1, Township 21, Range 3 West, EXCEPT portion conveyed to State of Alabama for U.S. Highway 65 right of way.

**PARCEL II:**

The NW-1/4 of NE-1/4, Section 1, Township 21 South, Range 3 West; EXCEPT tract conveyed to Green Valley Homes by John A. Hines, Jr. by deed recorded in Deed Book 263, Page 21, in the Office of the Judge of Probate of Shelby County, Alabama;

ALSO, the E-1/2 of SE-1/4, Section 1, Township 21 South, Range 3 West.

LESS AND EXCEPT any part lying within the right of way of a public road.

LESS AND EXCEPT those two parcels shown as Parcel ID #23-1-01-1-001-003.001, (assessed by Mary A. Underwood); and Parcel ID #23-1-01-1-001-003.002, (assessed by Annie Mae and Walter Cunningham), on Shelby County tax map.

**PARCEL III:**

The SW- 1/4 of SE- 1/4, Section 36, Township 20 South, Range 3 West, EXCEPT a tract in the SW corner thereof as recorded in Deed Book 353, Page 325 (*Deed from Lucille Gentry Campbell, Gussie Oden, Clinton Gentry and Annie R. Gentry, as Grantors to John Epperson*); ALSO EXCEPT a tract sold to Sarah Jane Thomas in 1941, as shown by deed recorded in Deed Book 115, Page 17 in said Probate Office. ALSO, the W-1/2 of SE-1/4 of SE-1/4 and the S-1/2 of NE-1/4 of SE-1/4, Section 36, Township 20 South, Range 3 West, EXCEPT right of way for U.S. Highway I-65,

LESS AND EXCEPT that portion conveyed to the State of Alabama for U.S. Highway 65 right of way.

**PARCEL IV:**

The N-1/2 of NE-1/4 of SE-1/4 of Section 36, Township 20 South, Range 3 West; ALSO, the E-1/2 of SE-1/4 of SE-1/4 of Section 36, Township 20, Range 3 West.



**PARCEL V:**

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The NE-1/4 of NE-1/4, Section 1, Township 21 South, Range 3 West.

A part of the SE-1/4 of NE-1/4 of Section 1, Township 21 South, Range 3 West, more particularly described as follows: Begin at the NW corner of said forty and run South 188 yards; thence East parallel with North line of said forty to a point which is 70 yards West of the East line of said forty; thence North 70 yards; thence East 70 yards to East line of said forty; thence North 118 yards to Northeast corner of said forty; thence West to point of beginning.

ALSO part of SE-1/4 of NE-1/4 of Section 1, Township 21 South, Range 3 West, described as follows: Commence at NW corner of said forty and run South along West line of said 1/4-1/4 Section 564 feet to point of beginning; thence turn an angle of 87 degrees 59 minutes to left and run 974.59 feet; thence turn an angle of 113 degrees 26 minutes to right and run 255.98 feet; thence turn an angle of 66 degrees 30 minutes to right and run a distance of 864.60 feet to West line of said forty; thence turn an angle of 88 degrees 03 minutes to right and run along 1/4-1/4 Section line a distance of 235 feet to point of beginning.

**PARCEL VI:**

The N-1/2 of NW-1/4 of Section 6, Township 21 South, Range 2 West.

The SW-1/4 of NW-1/4 of Section 6, Township 21 South, Range 2 West, EXCEPT the South 210 feet of said tract.

The SE-1/4 of NE-1/4 of Section 1, Township 21 South, Range 3 West, EXCEPT tract sold to Judge Allen as described in Deed Book 89, Page 27, and EXCEPT tracts sold to James Merritt as described in Deed Book 100, Page 543, Deed Book 115, Page 207, and in Deed Book 207, Page 456, in said Probate Office.

LESS AND EXCEPT that property described in Deed Book 132, Page 812 in said Probate Office (*Deed from Irene McNeil, Grantor to Linda Young and Mackie McNeil, Grantee*).

The SW-1/4 of NE-1/4 of Section 1, Township 21 South, Range 3 West. EXCEPT a tract sold to Will and Lilie J. Watts as described in Deed Book 43, Page 64, and also EXCEPT a tract sold to W. M. Clarke as described in Deed Book 39, Page 259, in said Probate Office.

LESS AND EXCEPT that property described in Deed Book 310, Page 989, Instrument #1994-27620 (*Deed from Walter Cunningham, Grantor, to Annie Mae Cunningham, Grantee*) and Instrument #2000-14541 (*Deed from Annie Mae Cunningham, Grantor to James M. Kirkwood and Frank D. Kirkwood*) in said Probate Office.

The E-1/2 of NW-1/4 of SE-1/4 of Section 1, Township 21 South, Range 3 West, EXCEPT tract sold as described in deed recorded in Deed Book 255, Page 695, in said Probate Office.

The SW-1/4 of SE-1/4 of Section 1, Township 21 South, Range 3 West, EXCEPT lot sold to Fletcher Swayne described as follows: Begin at SW corner of said forty; thence East along said South forty line 630 feet; thence North 210 feet; thence West 630 feet to said forty line; thence South 210 feet to point of beginning of said exception. ALSO EXCEPT lot sold to Mattie and Davies Harris as described in Deed Book 210, Page 569, and EXCEPT tract sold to Ed and Nettie Norris as described in Deed Book 205, Page 619, and EXCEPT tract sold to Clifford Moore as described in Deed Book 216, Page 669, and



EXCEPT tract sold to James Ross as described in Deed Book 250, Page 523 in said Probate Office; ALSO EXCEPTING right of way of U. S. Highway #31, and EXCEPTING right of way of U.S. I-65 Highway.

LESS AND EXCEPT the following: Commence at the SW corner of the SW-1/4 of the SE-1/4 of Section 1, Township 21 South, Range 3 West, Shelby County, Alabama, and run in a Northerly direction along the West line of said 1/4-1/4 for a distance of 454.70 feet to a point; thence turn an angle to the right of 92 degrees 50 minutes 03 seconds and run in an Easterly direction for a distance of 168.92 feet to the point of beginning of the property herein described; from the point of beginning, thence turn an angle to the right of 72 degrees 47 minutes 00 seconds and run in a Southeasterly direction for a distance of 210 feet to a point; thence turn an angle to the left of 90 degrees 00 minutes and run in a Northeasterly direction for a distance of 210 feet; thence turn an angle to the left of 90 degrees 00 minutes and run in a Northwesterly direction for a distance of 210 feet to a point; thence turn an angle to the left of 90 degrees 00 minutes and run in a Southwesterly direction for a distance of 210 feet to the point of beginning. *(This Property is assessed by Emma and Lillie Spence on the Shelby County Tax Map)*

LESS AND EXCEPT that property described in Deed Book 335, Page 65 (*Deed from James Hall and Brenda Hall, Grantor, to Jimmy Hall, Grantee*); Deed Book 335, Page 335 (*Deed from William Richard Tucker and Loretta Ann Tucker, Grantor, to Lawrence E. Herron and wife, Oneda Herron, Grantee*); Deed Book 349, Page 937 (*Deed from Mattie S. Taylor and Mattie S. Taylor, Grantor to Mattie S. Taylor and Grace Baptist Church, Grantee*), and Real Volume 206, Page 80 (*Tax Deed from Judge of Probate, Grantor to Mary L. Douglas*) in said Probate Office.

**PARCEL VII:**

Beginning at the NE corner of NW-1/4 of SE-1/4 of Section 1, Township 21, Range 3 West, thence along the forty line South 2 degrees 30 minutes East 600 feet; thence North 89 degrees 30 minutes West 598 feet; North 00 degrees 30 minutes East 375.0 feet; thence South 89 degrees 30 minutes East 110.0 feet; thence North 00 degrees 30 minutes East 210 feet to the North line of said forty; thence along the North line South 89 degrees 30 minutes East 450.0 feet to point of beginning.

**PARCEL VIII:**

The South 210 feet of the SW-1/4 of NW-1/4 of Section 6, Township 21 South, Range 2 West.

**FURTHER EXCEPTED FROM THE ABOVE PARCELS:**

LESS AND EXCEPT that certain property conveyed to The City of Alabaster, Alabama by Statutory Warranty Deed dated February 10, 2004 and recorded at Instrument 20040211000072100 and by that certain Statutory Warranty Deed dated February 1, 2004 and recorded at Instrument 20040211000072110 and by that certain Statutory Warranty Deed dated May 6, 2004 and recorded in Instrument 20040507000243110 and by that certain Statutory Warranty Deed dated December 31, 2004 and recorded at Instrument 20050214000071450; and

LESS AND EXCEPT that certain property conveyed to Colonial Properties Services, Inc. by that certain Quitclaim Deed dated May 7, 2004 and recorded in Instrument 20040507000243180 and by that certain Statutory Warranty Deed dated May 7, 2004 and recorded at Instrument 20040507000243150 and by that certain Statutory Warranty Deed dated May 7, 2004 and recorded at Instrument 20040507000243160; and



LESS AND EXCEPT that property conveyed to 6531 Properties Inc. by that certain Exchange Statutory Warranty Deed dated January 18, 2006 and recorded at Instrument 20060119000028900;

LESS AND EXCEPT that property conveyed to Westwood Baptist Church by that certain Exchange Statutory Warranty Deed dated October 26, 2004 and recorded at Instrument 20041027000594730;

LESS AND EXCEPT that property conveyed to Alabaster Hotel, LLC by that certain Statutory Warranty Deed dated December 4, 2006 and recorded in Instrument 20061208000597480;

LESS AND EXCEPT that property conveyed to AUM Properties, L.L.C. by that certain Statutory Warranty Deed dated December 4, 2006 and recorded in Instrument 20061205000589080; and

LESS AND EXCEPT that property conveyed to Seil Ho, LLC by that certain Statutory Warranty Deed dated December 18, 2006 and recorded at Instrument 20061220000619820.