

This instrument was prepared by
A. Vincent Brown, Jr.
510 North 18th Street
Bessemer, AL 35020

SEND TAX NOTICE TO:
Chesser Properties LLC.

File #0608-03

WARRANTY DEED

STATE OF ALABAMA
COUNTY OF SHELBY

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of **Three Hundred Fifty Thousand and 00/100 (\$350000) DOLLARS** to the undersigned grantor (whether one or more), in hand paid by the grantee herein, the receipt whereof is acknowledged, I or we, **Shirley Brothers Excavating Inc., a corporation** (herein referred to as grantor, whether one or more), grant, bargain, sell and convey unto **Chesser Properties LLC.** (herein referred to as GRANTEES, whether one or more), the following described real estate, situated in **SHELBY County, Alabama to-wit:**

See Legal Attached in Exhibit "A"

Not the homestead of the grantor.

SUBJECT TO:

1. Taxes for the year beginning October 1, 2007, which constitutes a lien, but are not yet due and payable until December 31, 2008.
2. Subject to all easements, judgments, mortgages, tax liens or other encumbrances, which could effect the property and is not shown as of record or listed on the title commitment.
3. Restrictions, Conditions, Covenants and Declaration appearing of record in Instrument No 1996-11736, in the Probate Office of Shelby County, Alabama.
4. Right of Way granted to Alabama Power Company by instrument recorded in Deed Book 141, page 198 and Deed Book 102, Page 931, in the Probate Office of Shelby County, Alabama.
5. Mineral and Mining rights and rights incident thereto recorded in Deed Book 13, page 180; Deed Book 324, page 556 and Deed Book 113, page 218; Deed Book 336, page 4 and Deed Book 330, page 621, in the Probate Office of Shelby County, Alabama.
6. Grading and Drainage Easement recorded in Instrument No. 1998-40007 in the Probate Office of Shelby County, Alabama.
7. Right of Way to Shelby County, recorded in Deed Book 135, page 121, in the Probate Office of Shelby County, Alabama.
8. Easement to the City of Chelsea, as recorded in Instrument 20050427000200190, in the Probate Office of Shelby County, Alabama.

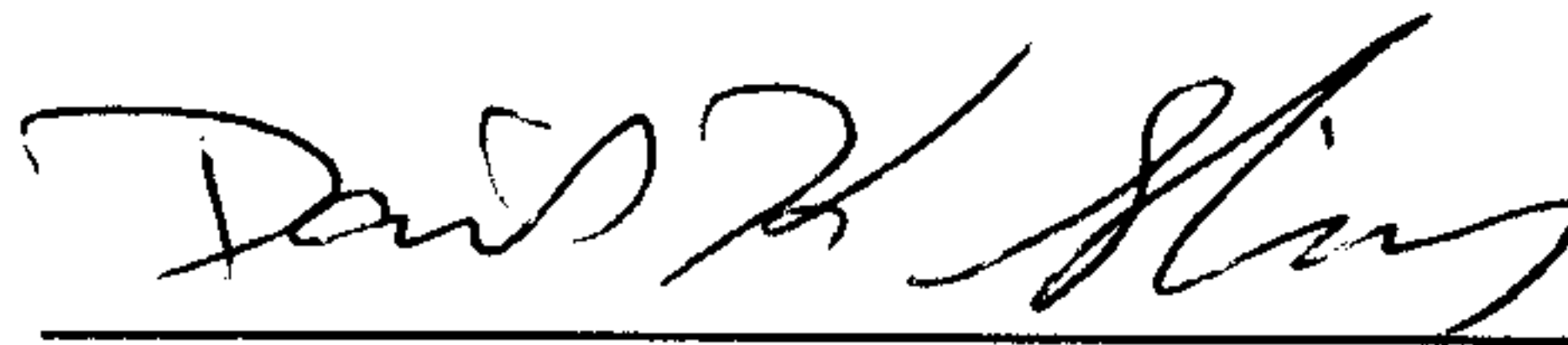
9. 50 foot permanent easement and 15 foot ingress/egress easement, as recorded in Instrument 20070212000064850, in the Probate Office of Shelby County, Alabama.
10. Right of Way to Southern Bell Telephone and Telegraph Company, as recorded in Deed Book 320, page 931, in the Probate Office of Shelby County, Alabama.
11. The rights upstream and downstream riparian owners with respect to any body of water which may lie adjacent to and or traversing through subject property.
12. Less and except any portion of subject property lying within a road right of way.
13. Rights of tenants in possession.

\$550000 of the consideration herein was derived from a mortgage loan closed simultaneously herewith.

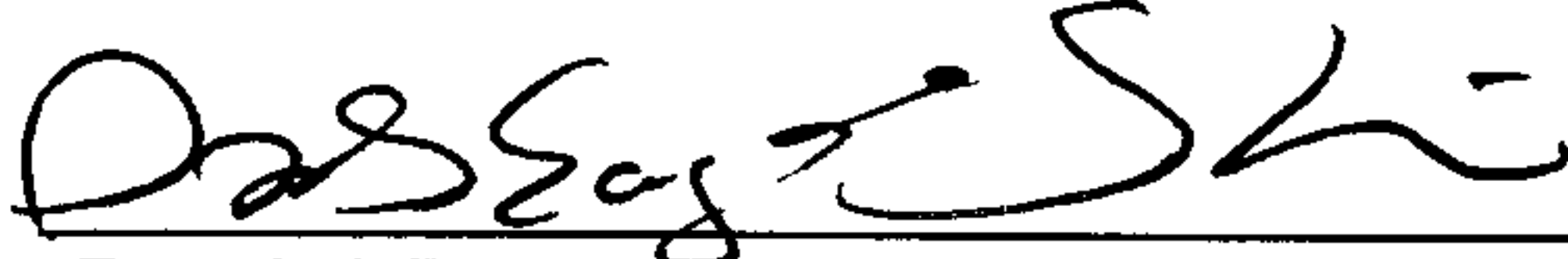
TO HAVE AND TO HOLD to the said grantee, his, her or their heirs and assigns forever.

And I (we) do, for myself (ourselves) and for my (our) heirs, executors and administrators, covenant with said GRANTEES, his, her or their heirs and assigns, that I am (we are) lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise stated 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 grantee, his, her or their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said GRANTOR, by **David Keith Shirley, Vice President, David Eugene Shirley, Vice President and Allen Shirley, Secretary of Shirley Brothers Excavating Inc.**, a corporation, who is authorized to execute this conveyance has hereto set its signature and seal, this the **10th** day of **June, 2008**.

 (SEAL)

David Keith Shirley, Vice President

 (SEAL)

Daniel Eugene Shirley, Vice President

 (SEAL)

Allen Christopher Shirley, Secretary

STATE OF ALABAMA
JEFFERSON COUNTY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that **David Keith Shirley, Vice President, David Eugene Shirley, Vice President and Allen Shirley, Secretary of Shirley Brothers Excavating Inc.**, a corporation, 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, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation, on the day the same bears date.

Given under my hand and official seal this 10th day of June, 2008.


Notary Public

My commission expires 11-29-2011



20080612000239540 2/3 \$18.00
Shelby Cnty Judge of Probate, AL
06/12/2008 10:36:52AM FILED/CERT

EXHIBIT "A"

A parcel of land being situated in the South 1/2 of Section 27, Township 19 South, Range 1 West Shelby County, Alabama, being more particularly described as follows:

Commence at the Northwest corner of the Southwest 1/4 of the Southeast 1/4 of Section 27, Township 19 South, Range 1 West, Shelby County, Alabama; thence North $87^{\circ}49'35''$ East a distance of 658.47 feet; South $02^{\circ}10'25''$ East a distance of 297.50 feet to a point on the Southerly right of way of Chesser Crane Road; thence South $47^{\circ}07'12''$ W along said right of way a distance of 98.91 feet; thence S $50^{\circ}17'52''$ W along said right of way a distance of 456.52 feet to the point of beginning; thence S $39^{\circ}40'26''$ E and leaving said right of way a distance of 397.90 feet to the centerline of North Fork Yellow Leaf Creek; thence S $38^{\circ}41'22''$ W along said centerline a distance of 75.12 feet; thence S $87^{\circ}32'42''$ W along said centerline a distance of 116.40 feet; thence S $32^{\circ}50'24''$ W along said centerline a distance of 136.01 feet; thence S $62^{\circ}41'25''$ W along said centerline a distance of 132.48 feet; thence N $60^{\circ}48'12''$ W and leaving said centerline a distance of 132.16 feet; thence N $44^{\circ}03'40''$ W a distance of 232.32 feet to a point on the southerly right of way of Chesser Crane Road; thence N $50^{\circ}17'52''$ E along said right of way a distance of 490.81 feet to the point of beginning.