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Shelby Cnty Judge of Probate, AL  
11/21/2008 01:49:33PM FILED/CERT

# 50004 ans. d. b.

THIS INSTRUMENT WAS PREPARED BY:

SENT TAX NOTICE TO:

John R. Martin, Attorney  
NAJJAR DENABURG, P.C  
2125 Morris Avenue  
Birmingham, AL 35223

Janice M. Falkner  
Town Creek Holdings, LLC  
P.O. Box 1376  
Columbiana, AL 35051

### DEED

STATE OF ALABAMA )  
COUNTY OF SHELBY )

THIS INDENTURE, made and entered into on this the 20<sup>th</sup> day of November 2008, by and between Falkner and Griffin, an Alabama Partnership and Janice M. Falkner, Frank R. Griffin and Martha P. Griffin, individually (hereinafter referred to as "Grantors") and Town Creek Holdings, LLC (hereinafter referred to as "Grantee"):

NOW THEREFORE, in consideration of Ten Dollars (\$10.00) and other good and valuable consideration to the undersigned Grantors paid by the Grantee herein, the receipt whereof is acknowledged, the Grantors do grant, bargain, sell, convey and transfer unto the Grantee all right, title, interest and claim in and to the following described real property, situated, lying and being in Shelby County, Alabama, to wit:

SEE ATTACHED EXHIBIT "A"

Subject property is not a part of the homestead of any grantor.

**Subject to:**

1. Ad valorem taxes for 2008 due and payable 10/1/08.
2. That certain mortgage from Falkner and Griffin, et al to First National Bank of Shelby County, dated 1/31/00 recorded in Instrument # 2000-3099 and corrected by Scrivener's Affidavit recorded in Instrument # 2000-9332.
3. Subject to release in favor of Shelby County recorded in Deed Book 20, Page 237 in Probate Office.

4. Right of way to Town of Columbiana, recorded in Deed Book 87, Page 90; Deed Book 156, Page 443 and Deed Book 219, Page 86 in Probate Office.
5. Easement to Alabama Power Company recorded in Deed Book 119, Page 109; Deed Book 145, Page 390; Deed Book 162, Page 324 and Deed Book 163, Page 428 in Probate Office.
6. Right of way in favor of Shelby County recorded in Deed Book 161, Page 42.
7. Except 2/3 interest in oil, as shown by instrument recorded in Deed Book 173, Page 440.
8. Subject to easement as shown by instrument recorded in Deed Book 233, Page 466.
9. Permit to Alabama Power Company recorded in Deed Book 320, Page 327; Deed Book 325, Page 136 and Deed Book 351, Page 5.
10. Easement to South Central Bell recorded in Deed Book 320, Page 998.
11. Provision, covenants, and restrictions as shown in Mortgage Book 437, Page 596, in Probate Office.

Janice M. Falkner is the surviving grantee in those certain deeds recorded in Deed Book 315, page 676 and Deed Book 315, page 681 which contained property which is part of the property conveyed herein. The other grantee in said deeds, Jeff D. Falkner is deceased, having died January 10, 2007.

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

This instrument is executed without warranty or representation of any kind on part of the undersigned, express or implied, except that there are no liens or encumbrances outstanding against the premises conveyed which were created or suffered by the undersigned and not specifically excepted herein.

IN WITNESS WHEREOF, the grantor has executed this conveyance by setting his signature, this 20<sup>th</sup> day of November, 2008

Falkner and Griffin, an Alabama Partnership

Janice M. Falkner Partner  
Janice (M.) McCormick Falkner, Partner

Frank R. Griffin Partner  
Frank R. Griffin, Partner

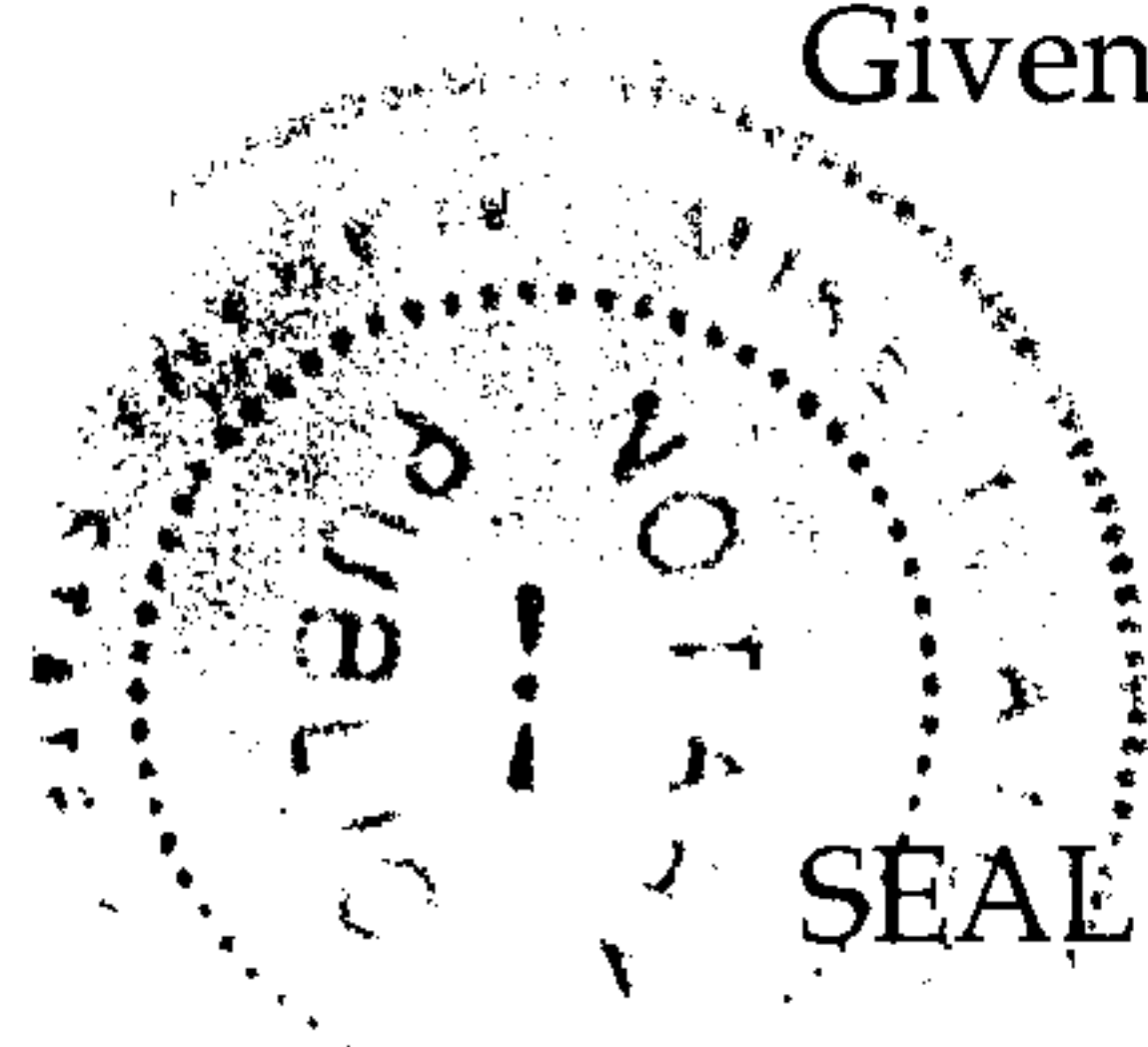
STATE OF ALABAMA       )  
COUNTY OF Shelby    )

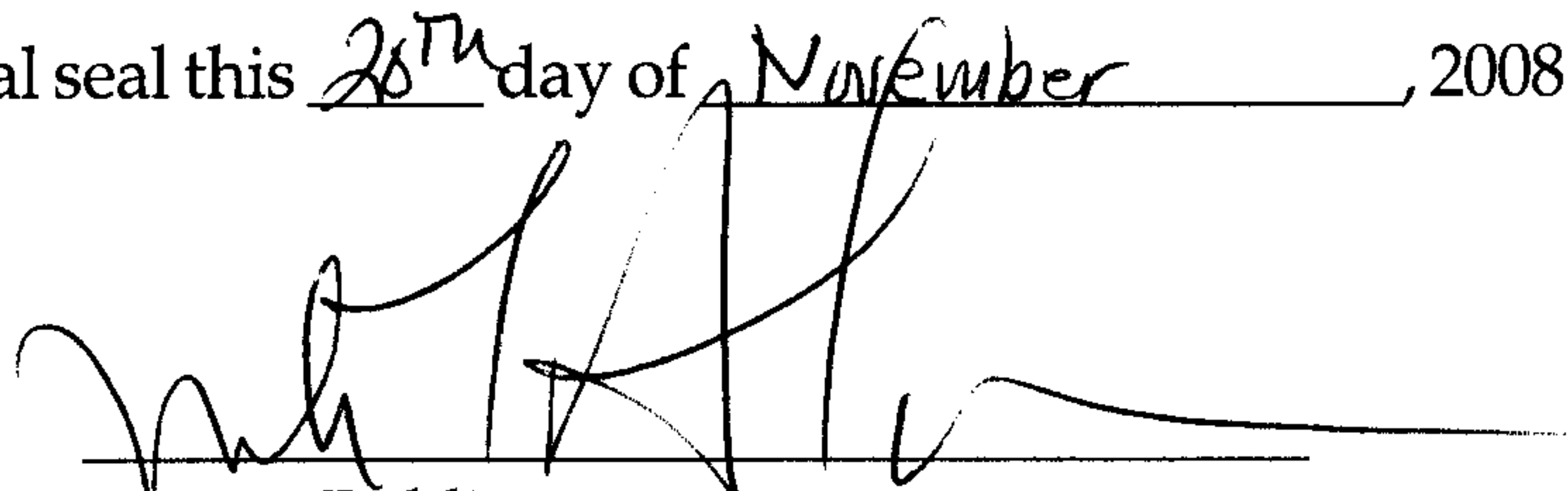
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GENERAL ACKNOWLEDGMENT

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Frank R. Griffin, whose name as a partner of FALKNER AND GRIFFIN, an Alabama Partnership, 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 20<sup>th</sup> day of November, 2008.



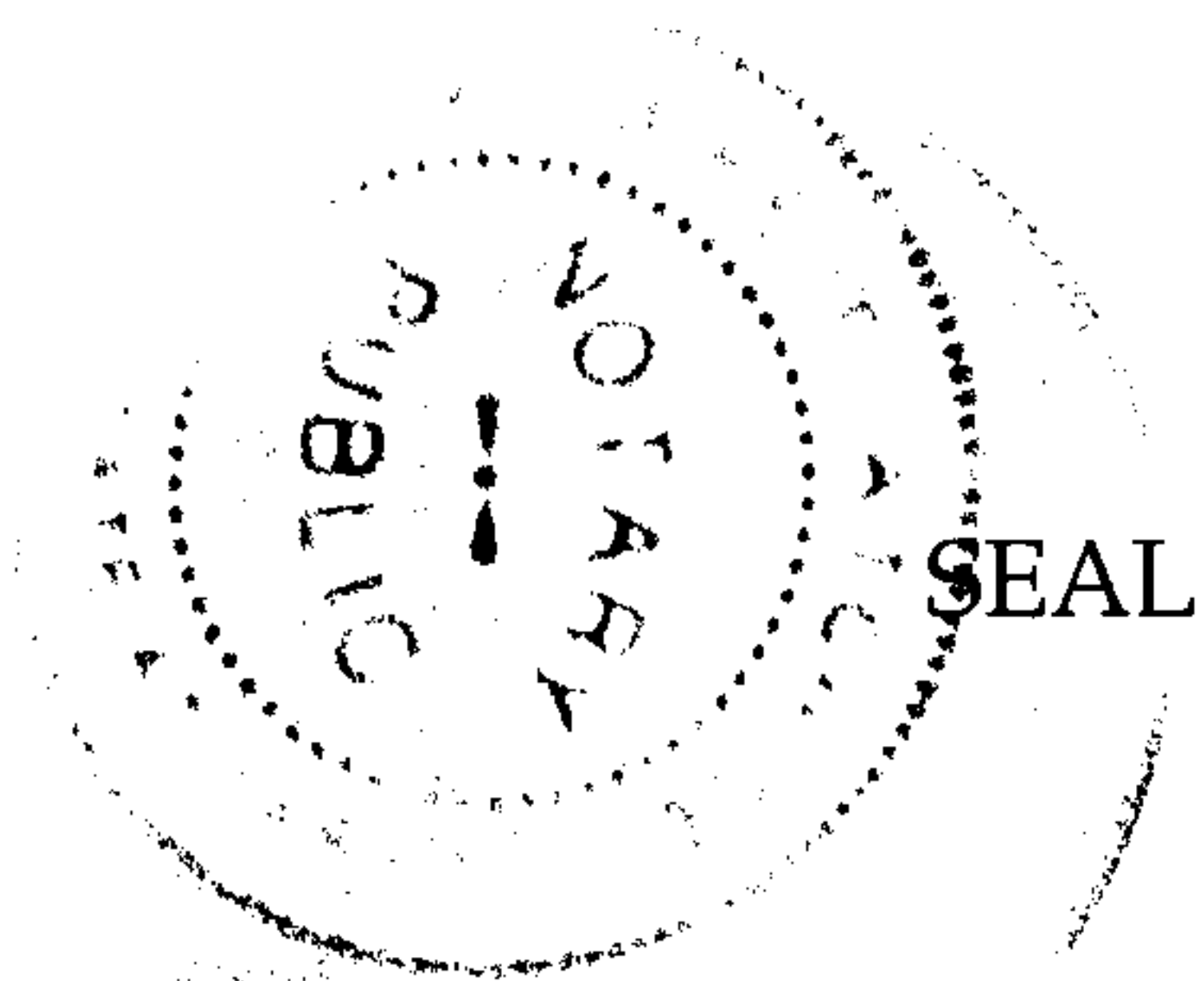
  
\_\_\_\_\_  
Notary Public  
My commission expires: 10/16/2012

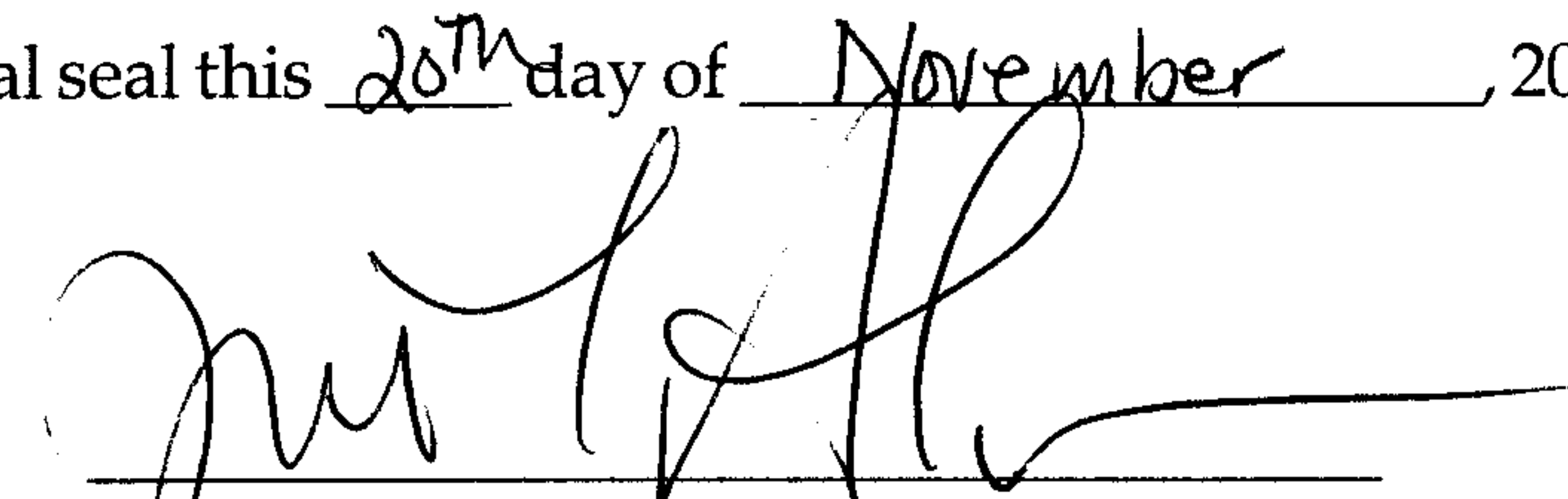
STATE OF ALABAMA       )  
COUNTY OF Shelby    )

GENERAL ACKNOWLEDGMENT

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Martha P. Griffin, whose name as a partner of FALKNER AND GRIFFIN, an Alabama Partnership, 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, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 20<sup>th</sup> day of November, 2008.



  
\_\_\_\_\_  
Notary Public  
My commission expires: 10/16/2012



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Martha P. Griffin Partner  
Martha P. Griffin, Partner

Individually:

Janice M. Falker  
Janice M. Falker

Frank R. Griffin  
Frank R. Griffin

Martha P. Griffin  
Martha P. Griffin

STATE OF ALABAMA     )  
COUNTY OF Shelby     )

#### GENERAL ACKNOWLEDGMENT

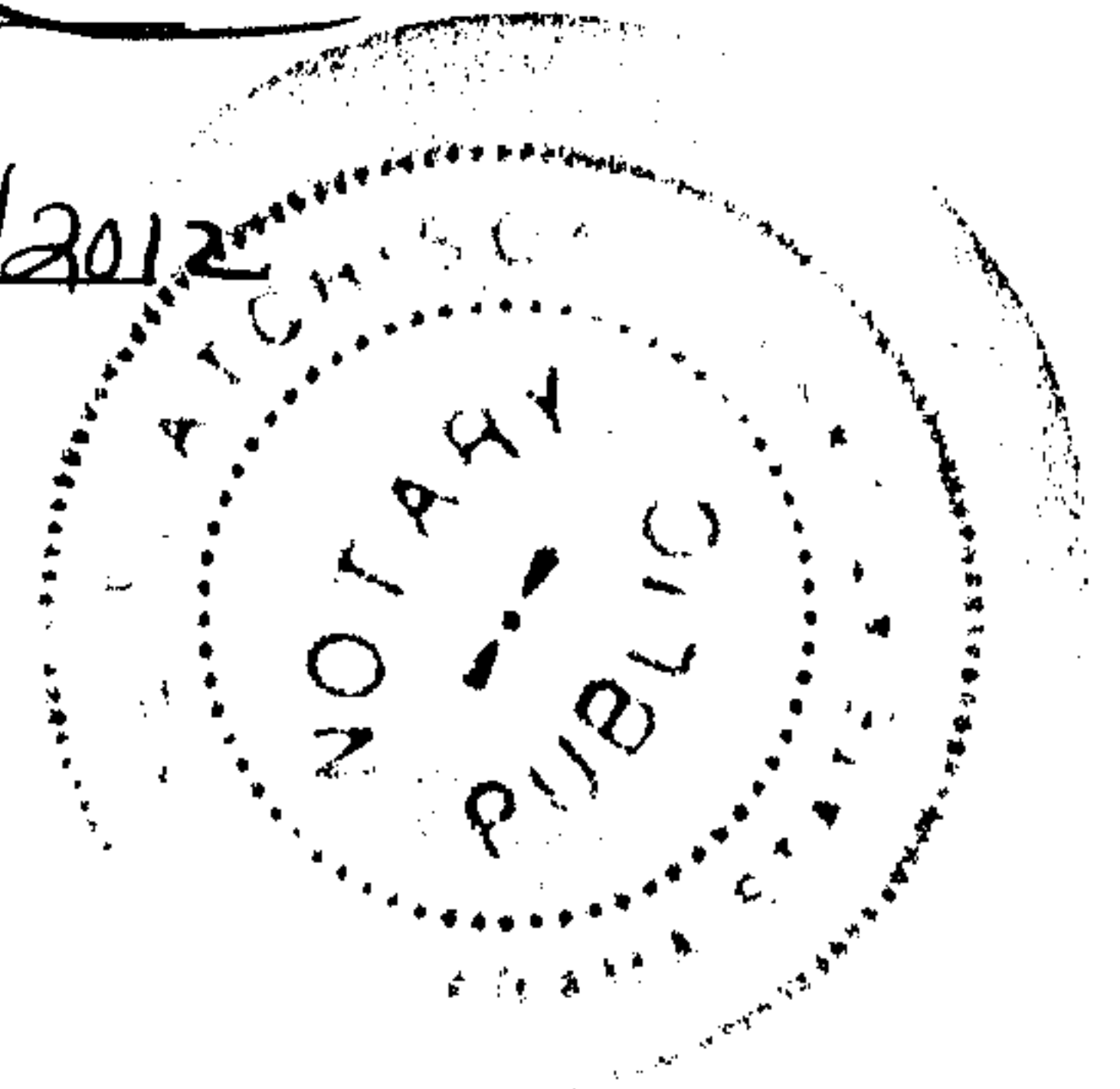
I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Janice (M.) McCormick Falkner, whose name as a partner of FALKNER AND GRIFFIN, an Alabama Partnership, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 20<sup>th</sup> day of November, 2008.

SEAL

[Signature]  
Notary Public

My commission expires: 10/16/2012



STATE OF ALABAMA       )  
COUNTY OF Shelby    )

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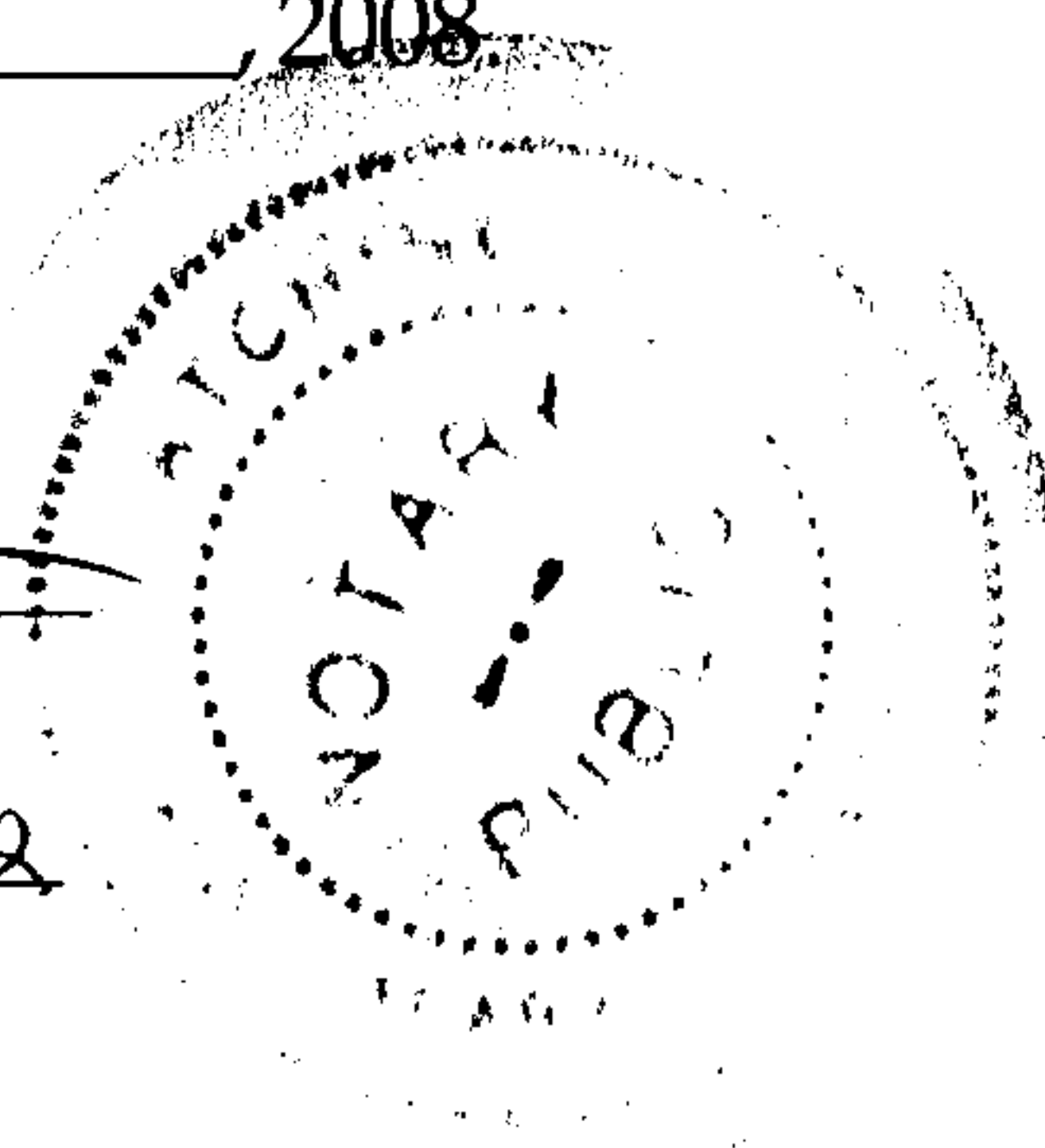
### GENERAL ACKNOWLEDGMENT

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Janice M. Falkner, an unmarried woman, 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, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 26<sup>th</sup> day of November, 2008.

SEAL

  
\_\_\_\_\_  
Notary Public  
My commission expires: 10/16/2012



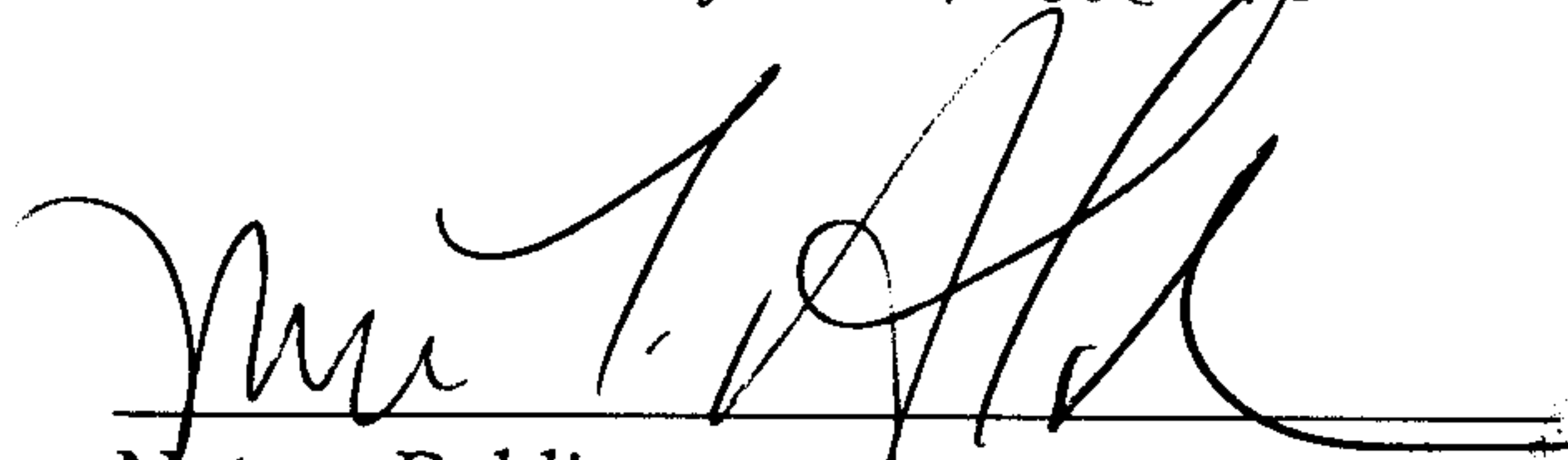
STATE OF ALABAMA       )  
COUNTY OF Shelby    )

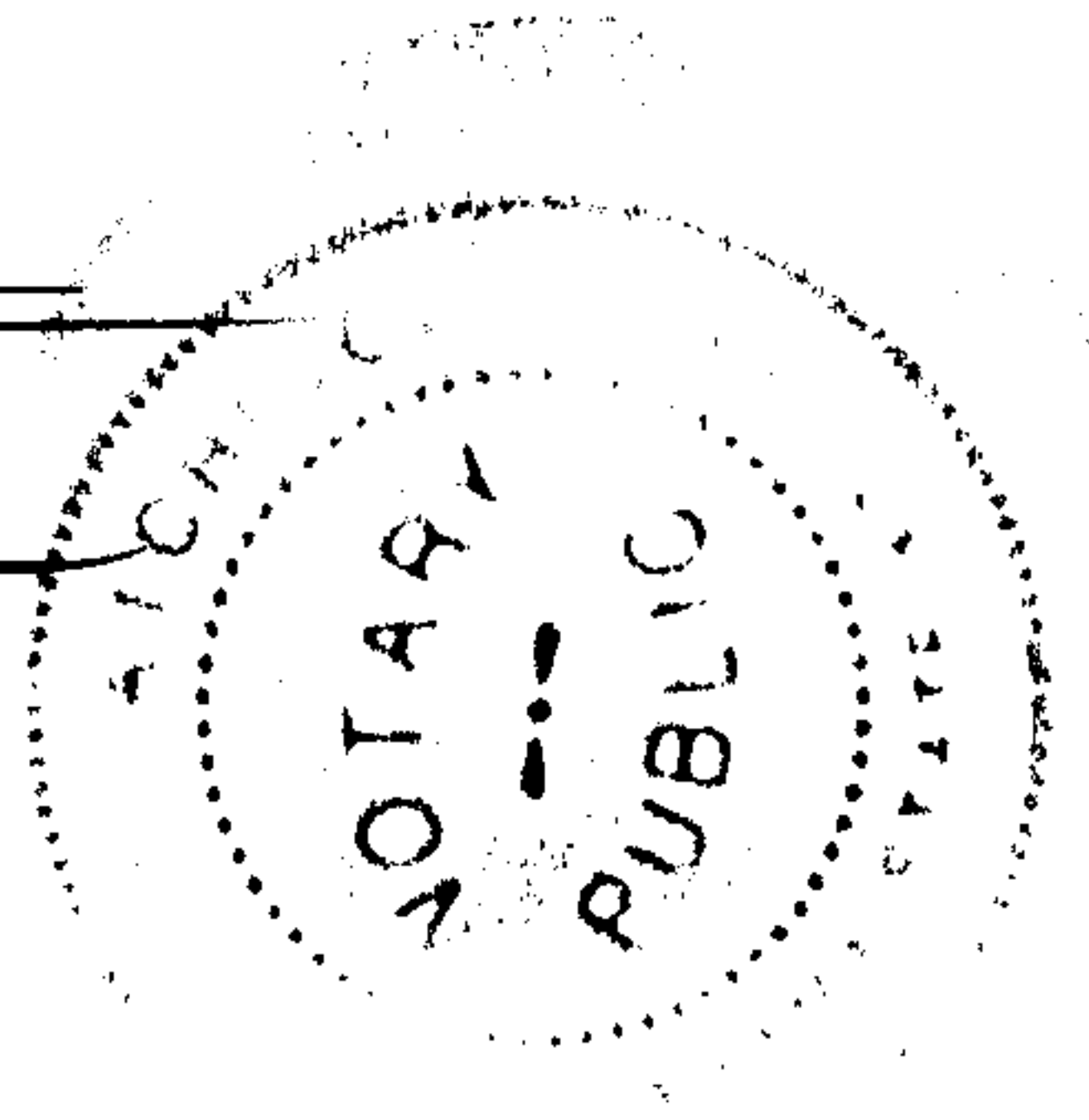
### GENERAL ACKNOWLEDGMENT

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Frank R. Griffin, 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 26<sup>th</sup> day of November, 2008.

SEAL

  
\_\_\_\_\_  
Notary Public  
My commission expires: 10/16/2012



STATE OF ALABAMA       )  
COUNTY OF Shelby    )

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### GENERAL ACKNOWLEDGMENT

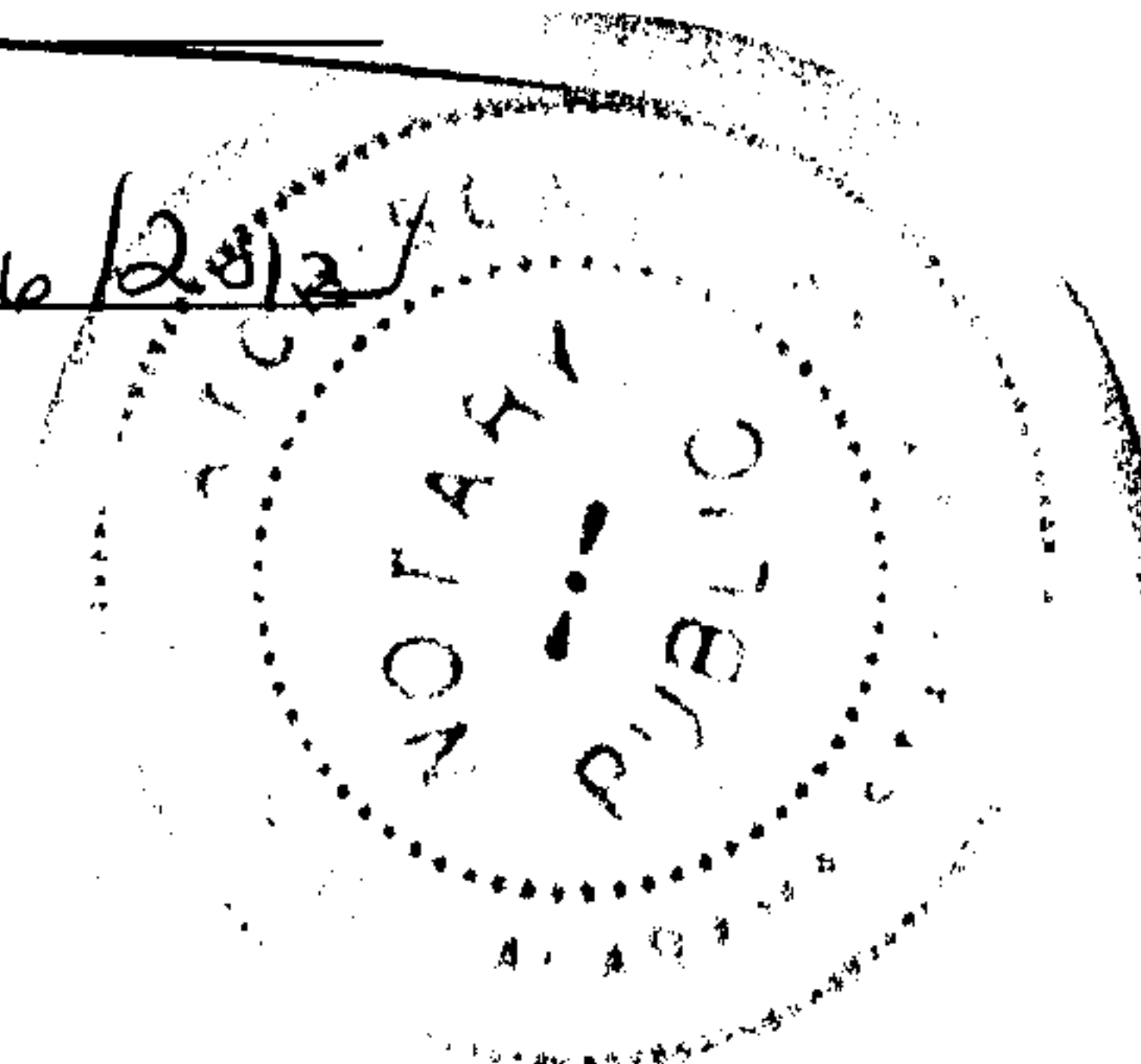
I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Martha P. Griffin, a married woman, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 20<sup>th</sup> day of November, 2008.

SEAL

  
Notary Public

My commission expires: 10/16/2012





## EXHIBIT A

A parcel of land in the Southwest Quarter of the Northwest Quarter of Section 26, Township 21 South, Range 1 West, being the same land described in deeds to Jeff D. and Janice M. Falkner and Frank R. and Martha P. Griffin, recorded in Deed Book 315, at Page 676, 678, 680 and 681, of the Real Property Records of Shelby County, Alabama. Said parcel of land being more particularly described as follows:

Commencing at the Northwest corner of the Southwest Quarter of the Northwest Quarter of said Section 26; thence North 89 degrees 17 minutes 10 seconds East along the North line of said sixteenth Section, a distance of 673.71 feet to a point; thence South 07 degrees 22 minutes 33 seconds East a distance of 2.44 feet to a 1/2-inch rebar, found on the South right of way of West College Street, at the point of beginning; thence South 07 degrees 22 minutes 33 seconds East a distance of 688.90 feet to a point in the center of Town Creek; thence along the meanders of Town Creek the following courses and distances: South 74 degrees 20 minutes 30 seconds West, a distance of 43.29 feet; North 89 degrees 25 minutes 13 seconds West, a distance of 84.33 feet; South 72 degrees 57 minutes 41 seconds West a distance of 399.12 feet; thence North 01 degrees 05 minutes 23 seconds West, a distance of 509.25 feet to a point; thence North 76 degrees 19 minutes 00 seconds East, a distance of 102.29 feet to a 2-inch pipe, found; thence North 01 degrees 32 minutes 44 seconds West a distance of 200.44 feet to a 1/2-inch rebar, found, on the South right of way of West College Street; thence North 77 degrees 00 minutes 22 seconds East along said right of way, a distance of 343.67 feet to the point of beginning. According to survey of Sid Wheeler, RLS #16165, dated October 25, 1999.