

This Instrument Prepared By:
James F. Burford, III
Attorney at Law
Suite 101, 1318 Alford Avenue
Birmingham, Alabama 35226

Send Tax Notice To:
William Christenberry
5365 McLendon Brook Dr
Birmingham
35242

WARRANTY DEED, JOINTLY FOR LIFE WITH REMAINDER TO SURVIVORS

STATE OF ALABAMA)
SHELBY COUNTY)

KNOW ALL MEN BY THESE PRESENTS: That in consideration of Ten and 00/100 Dollars (\$10.00) and other good and valuable considerations, to the undersigned Grantor (whether one or more), in hand paid by Grantees herein, the receipt whereof is acknowledged, I, Brightwater Properties, LLC (herein referred to as Grantor, whether one or more), grant, bargain, sell and convey unto William J. Christenberry & Kimberly R. Christenberry (herein referred to as Grantees), for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, together with every contingent remainder and right of reversion, the following described real estate, situated in Shelby County, Alabama, to-wit:

Described on Exhibit A attached hereto and incorporated by reference herein.

SUBJECT TO: (1) Taxes due in the year 2009 and thereafter; (2) Easements, restrictions and rights-of-way of record; (3) Declaration of Restrictive Covenants for Brightwater Farms; (4) All matters involving Brightwater Homeowners Association, Inc.; (5) Mineral and mining rights not owned by the Grantor; (6) Rights of others to the use of Yellow Leaf Creek.

This instrument has been executed as required by the Articles of Organization and Operating Agreement of the Grantor and the same have not been modified or amended.

Grantor represents and warrants that there are no assessments due the City of Westover or any other governmental or quasi governmental entity.

TO HAVE AND TO HOLD to the said GRANTEES for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, and to the heirs and assigns of such survivor forever, together with every contingent remainder and right of reversion.

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

IN WITNESS WHEREOF, the undersigned has hereunto set his hand and seal, this the 1st day of April, 2009.

Shelby County, AL 04/09/2009
State of Alabama

Deed Tax: \$240.00

Brightwater Properties, LLC

By: Randall H. Goggans


Randall H. Goggans, Sole Member

STATE OF ALABAMA)
JEFFERSON COUNTY)

LLC ACKNOWLEDGMENT

I, the undersigned, a Notary Public, in and for said County in said State, hereby certify that Randall H. Goggans as Sole Member of Brightwater Properties, LLC, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of this instrument, he, in their capacity as such member, executed the same voluntarily, for and as the act of said limited liability company.

Given under my hand and official seal this 1st day of April, 2009.


20090409000132240 1/3 \$257.00
Shelby Cnty Judge of Probate, AL
04/09/2009 01:50:41PM FILED/CERT

[Signature]
Notary Public

My Commission Expires: 3.1.2010

20090409000132240 2/3 \$257.00
Shelby Cnty Judge of Probate, AL
04/09/2009 01:50:41PM FILED/CERT

36.29 ACRE PARCEL

A parcel of land being a portion of that certain tract of land as described in Instrument No. 20071228000583290 in the Judge of Probate Office, Shelby County, Alabama lying in the SE 1/4 of Section 13, Township 19 South, Range 1 East and the SW 1/4 of Section 18, Township 19 South, Range 2 East, said Shelby County and being more particularly described as follows:

Commence at a 1" open top found marking the Northwest Corner of the NW 1/4 of the SW 1/4 of said Section 18; thence S 86°44'44" E along the north line of the SW 1/4 of said Section 18 a distance of 409.50 feet to the Point of Beginning; thence continue S 86°44'44" E a distance of 486.05 feet to a 5/8" capped rebar set (SMW LS 19753); thence departing said north line S 01°15'08" W a distance of 590.98 feet to a 5/8" capped rebar set (SMW LS 19753); thence S 88°44'52" E a distance of 400.00 feet to a 5/8" capped rebar set (SMW LS 19753); thence S 01°19'22" W a distance of 673.84 feet to a point in the centerline of a creek; thence along said centerline the following courses and distances: N 84°17'45" W a distance of 74.09 feet to a point; S 83°26'42" W a distance of 66.91 feet to a point; N 02°09'10" E a distance of 27.67 feet to a point; N 46°32'01" W a distance of 24.17 feet to a point; N 16°48'28" W a distance of 17.45 feet to a point; N 57°15'28" W a distance of 22.29 feet to a point; N 47°03'22" E a distance of 13.86 feet to a point; N 72°45'50" W a distance of 20.53 feet to a point; S 55°15'56" W a distance of 31.23 feet to a point; N 56°08'14" W a distance of 42.29 feet to a point; N 88°32'46" W a distance of 20.35 feet to a point; S 81°21'29" W a distance of 1.98 feet to a point; N 41°54'47" W a distance of 18.82 feet to a point; N 53°16'24" W a distance of 9.50 feet to a point; N 79°05'45" W a distance of 17.79 feet to a point; S 74°20'31" W a distance of 58.59 feet to a point; S 75°01'52" W a distance of 52.66 feet to a point; S 43°10'21" W a distance of 48.37 feet to a point; S 87°55'05" W a distance of 79.49 feet to a point; N 61°12'12" W a distance of 59.54 feet to a point; S 72°45'01" W a distance of 33.40 feet to a point; S 18°06'06" W a distance of 10.43 feet to a point; S 04°21'01" E a distance of 18.80 feet to a point; S 41°54'21" W a distance of 36.22 feet to a point; S 76°16'32" W a distance of 28.85 feet to a point; N 89°26'53" W a distance of 24.62 feet to a point; N 40°10'37" W a distance of 23.64 feet to a point; S 33°24'49" W a distance of 117.17 feet to a point; S 04°03'58" E a distance of 48.36 feet to a point; S 65°22'07" W a distance of 20.59 feet to a point; N 64°00'48" W a distance of 131.26 feet to a point; N 83°26'22" W a distance of 17.72 feet to a point; S 10°37'22" W a distance of 110.04 feet to a point; S 00°37'50" W a distance of 20.00 feet to a point; S 72°18'09" W a distance of 61.33 feet to a point; N 80°45'43" W a distance of 75.80 feet to a point; S 82°37'03" W a distance of 39.90 feet to a point; N 22°28'47" W a distance of 55.71 feet to a point; N 42°05'52" W a distance of 62.50 feet to a point; N 74°44'41" W a distance of 28.88 feet to a point; S 66°04'43" W a distance of 23.71 feet to a point; S 33°10'30" W a distance of 98.08 feet to a point; N 59°23'30" W a distance of 19.50 feet to a point; N 58°58'43" W a distance of 74.96 feet to a point; N 13°18'03" E a distance of 89.56 feet to a point; N 88°44'05" W a distance of 58.13 feet to a point; N 78°07'33" W a distance of 43.72 feet to a point; thence leaving said centerline of creek and continuing along the centerline of an existing dirt road the following courses and distances: N 24°57'02" E a distance of 76.29 feet to a point; thence N 06°14'52" W a distance of 106.75 feet to a point; thence N 23°47'56" W a distance of 66.02 feet to a point; thence N 12°29'47" W a distance of 68.25 feet to a point; thence N 11°26'45" W a distance of 88.80 feet to a point; thence N 33°55'10" W a distance of 35.47 feet to a point; thence N 63°19'56" W a distance of 79.17 feet to a point; thence N 42°54'34" W a distance of 59.20 feet to a point; thence N 22°19'54" W a distance of 57.42 feet to a point; thence N 17°16'44" E a distance of 112.67 feet to a point; thence N 71°34'18" E a distance of 51.09 feet to a point; thence N 68°05'58" E a distance of 34.86 feet to a point; thence N 29°50'58" E a distance of 205.59 feet to a point; thence leaving said centerline of existing dirt road and continuing along the proposed centerline of a road the following course and distances: N 52°44'49" E a distance of 289.89 feet to a point; thence N 53°51'28" E a distance of 350.78 feet to a point; thence N 42°25'04" E a distance of 67.77 feet to a point; thence N 03°15'16" E a distance of 53.42 feet to the intersection of said proposed centerline and the north line of the SW 1/4 of said Section 18, said intersection marking the Point of Beginning. Said described property contains 36.29 acres, more or less.

EXISTING INGRESS/EGRESS & UTILITY EASEMENT 'A'

An easement being a portion of that certain tract of land as described in Instrument No. 20071228000583290 in the Judge of Probate Office, Shelby County, Alabama lying in the NE 1/4 of Section 24, Township 19 South, Range 1 East and being more particularly described as follows:

Commence at a 1" open top found in place at the southeast corner of SE 1/4 of Section 13, Township 19 South, Range 1 East; thence N 90°00'00" W a distance of 2508.34 feet to a 2" open top found in place and the Point of Beginning; thence S 02°52'53" W a distance of 1050.98 feet to a point; thence S 86°57'34" E a distance of 49.90 feet to a point; thence S 03°23'29" W a distance of 1292.42 feet to the northerly right-of-way of Westover Road; thence along said right-of-way N 79°46'37" W a distance of 100.27 feet; thence leaving said right-of-way N 03°22'32" E a distance of 1280.03 feet to a point; thence N 02°52'30" E a distance of 1051.46 feet to a 1/2" open top found in place at the southwest corner of the SE 1/4 of Section 13; thence N 2°09'45" W along the west line of said SE 1/4 a distance of 75.61 feet to a point on the centerline of a creek; thence S 74°20'51" E along said centerline 55.03 feet to a point; thence S 00°04'59" W a distance of 63.94 feet to the Point of Beginning. Said above described easement contains 4.2 acres, more or less.

INGRESS/EGRESS & UTILITY EASEMENT 'B'

An easement being a portion of that certain tract of land as described in Instrument No. 20071228000583290 in the Judge of Probate Office, Shelby County, Alabama lying in the SE 1/4 of Section 13, Township 19 South, Range 1 East and the SW 1/4 of Section 18, Township 19 South, Range 2 East said Shelby County and being more particularly described as follows:

Commence at a 1" open top found in place at the southeast corner of SE 1/4 of Section 13, Township 19 South, Range 1 East; thence N 90°00'00" W a distance of 2508.34 feet to a 2" open top found; thence N 00°04'59" E a distance of 25.00 feet to the Point of Beginning of an Ingress/Egress & Utility Easement being 50 feet in width and lying 25 feet on each side of the following described centerline; thence S 89°55'01" E a distance of 151.87 feet to a point; thence N 42°44'37" E a distance of 99.53 feet to a point; thence N 62°02'29" E a distance of 251.31 feet to a point; thence N 53°47'07" E a distance of 181.06 feet to a point; thence N 45°10'41" E a distance of 229.78 feet to a point; thence N 33°15'26" E a distance of 85.00 feet to a point; thence N 34°59'01" E a distance of 105.62 feet to a point; thence N 52°09'05" E a distance of 65.55 feet to a point; thence N 76°13'00" E a distance of 97.03 feet to a point; thence N 37°09'15" E a distance of 149.46 feet to a point; thence N 42°30'04" E a distance of 116.85 feet to a point; thence N 53°00'17" E a distance of 189.48 feet to a point; thence N 64°36'47" E a distance of 288.93 feet to a point; thence N 67°59'49" E a distance of 336.73 feet to a point; thence N 80°23'44" E a distance of 93.78 feet to a point; thence S 82°47'47" E a distance of 68.78 feet to a point; thence S 63°26'42" E a distance of 129.14 feet to a point; thence N 88°39'43" E a distance of 50.21 feet to a point; thence S 81°24'47" E a distance of 79.01 feet to a point; thence N 56°47'35" E a distance of 43.76 feet to a point; thence N 26°26'46" E a distance of 75.78 feet to a point; thence N 10°01'16" E a distance of 12.99 feet to a point; thence N 24°57'02" E a distance of 76.29 feet to a point; thence N 06°14'52" W a distance of 106.75 feet to a point; thence N 23°47'56" W a distance of 66.02 feet to a point; thence N 12°29'47" W a distance of 68.25 feet to a point; thence N 11°26'45" W a distance of 88.80 feet to a point; thence N 33°55'10" W a distance of 35.47 feet to a point; thence N 63°19'56" W a distance of 79.17 feet to a point; thence N 42°54'34" W a distance of 59.20 feet to a point; thence N 22°19'54" W a distance of 57.42 feet to a point; thence N 17°16'44" E a distance of 112.67 feet to a point; thence N 71°34'18" E a distance of 51.09 feet to a point; thence N 68°05'58" E a distance of 34.86 feet to a point; thence N 29°50'58" E a distance of 205.59 feet to a point; thence N 52°44'49" E a distance of 289.89 feet to a point; thence N 53°51'28" E a distance of 350.78 feet to a point; thence N 42°25'04" E a distance of 67.77 feet to a point; thence N 03°15'16" E a distance of 53.42 feet to the Point of Ending lying on the Northern line of that certain tract of land. Said above described easement contain 5.40 acres, more or less, and is for Ingress/Egress and Utility purposes.

THE ABOVE EASEMENTS ARE NON EXCLUSIVE

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Shelby Cnty Judge of Probate, AL
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