

This instrument was prepared by:
P. Wayne Thorn
3517 S. Brookwood Cir.
Birmingham, AL 35223

Grantees address:
3517 S. Brookwood Cir.
Birmingham, AL 35223

WARRANTY DEED, JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

STATE OF ALABAMA

Shelby County, AL 09/23/2009

State of Alabama

Deed Tax : \$200.00

SHELBY COUNTY

KNOW ALL MEN BY THESE PRESENTS, that in consideration of Two Hundred Thousand and no/100 Dollars (\$200,000.00) and other good and valuable consideration, to the undersigned GRANTORS in hand paid by the GRANTEES herein, the receipt whereof is acknowledged, the undersigned, Johnny Howard, Sr. and wife, Sara H. Howard, (herein referred to as GRANTORS) do grant, bargain, sell and convey unto Wayne Thorn and Anita Thorn (herein referred to as GRANTEES) as joint tenants 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:

A parcel of land situated in the South ½ of Section 17, Township 21 South, Range 1 East, Shelby County, Alabama, being more particularly described as follows:

Commence at an iron pin found locally accepted to be the Southwest corner of the Southeast ¼ of the Southwest ¼ of said Section 17; thence run North along the West line of said ¼ - ¼ Section for a distance of 705.59 feet to an iron pin set at the point of beginning; thence continue along last stated course for a distance of 909.90 feet to a point; thence turn an angle to the right of 74 degrees 09 minutes 58 seconds and run in a Northeasterly direction a distance of 467.66 feet to a point; thence turn an angle to the right of 22 degrees 39 minutes 34 seconds and run in a Southeasterly direction for a distance of 427.65 feet to an iron pin set; thence turn an angle to the right of 70 degrees 32 minutes 34 seconds and run in a Southeasterly direction for a distance of 96.12 feet to an iron pin set on a curve to the left, having a central angle of 66 degrees 08 minutes 18 seconds and a radius of 100.00 feet; thence run in a Southeasterly direction along the arc of said curve for a distance of 115.43 feet to an iron pin set on a compound curve to the left, having a central angle of 26 degrees 01 minutes 04 seconds and a radius of 455.00 feet; thence run in a Southeasterly to Northeasterly direction along the arc of said curve for a distance of 206.61 feet to an iron pin found; thence run tangent to last stated curve in a Northeasterly direction for a distance of 121.36 feet to an iron pin set; thence turn an angle to the left of 76 degrees 41 minutes 43 seconds and run in a Northwesterly direction for a distance of 8.31 feet to an iron pin found; thence turn an angle to the right of 92 degrees 00 minutes 00 seconds and run in an Easterly direction for a distance of 30.02 feet to an iron pin set; thence turn an angle to the right of 88 degrees 00 minutes 00

seconds and run in a Southerly direction for a distance of 85.95 feet to an iron pin set; thence turn an angle to the right of 02 degrees 59 minutes 42 seconds and run in a Southerly direction for a distance of 307.01 feet to an iron pin set on a curve to the left, having a central angle of 25 degrees 40 minutes 07 seconds and radius of 520.00 feet; thence run in a Southeasterly direction along the arc of said curve for a distance of 232.96 feet to an iron pin set on a reverse curve to the right, having a central angle of 43 degrees 55 minutes 07 seconds and a radius of 185.00 feet; thence run in a Southeasterly to Southwesterly direction along the arc of said curve for a distance of 141.81 feet to an iron pin set; thence run tangent to last stated curve in a Southwesterly direction for a distance of 47.64 feet to an iron pin set on a curve to the left, having a central angle of 18 degrees 18 minutes 23 seconds and a radius of 150.00 feet; thence run in a Southwesterly direction along the arc of said curve for a distance of 47.93 feet to an iron pin set; thence run tangent to last stated curve in a Southerly direction for a distance of 25.13 feet to an iron pin set; thence turn an angle to the right of 89 degrees 04 minutes 27 seconds and run in a Westerly direction for a distance of 1344.85 feet to the point of beginning; said parcel of land containing 29.00 acres, more or less.

All being situated in Shelby County, Alabama.


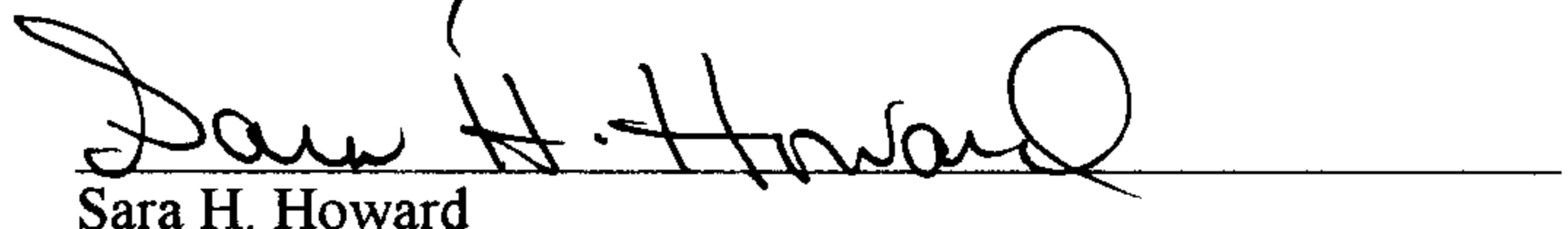
SUBJECT TO:

1. Ad valorem taxes for the year 2009, which are a lien but not yet due and payable until October 1, 2009.
2. Easement as described on Exhibit A.
3. Subject to easements, rights of way, and reservations of mineral and mining rights of record.
4. Subject to covenants and restrictions set out on attached Exhibit B.

TO HAVE AND TO HOLD to the said GRANTEES as joint tenants 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 GRANTORS do for GRANTORS and for GRANTORS heirs, executors and administrators covenant with the said GRANTEES, their heirs and assigns, that GRANTORS are lawfully seized in fee simple of said property; that they are free from all encumbrances, unless otherwise noted above; and GRANTORS and GRANTORS 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, GRANTORS have hereunto set GRANTOR'S hand and seal, this ____ day of September, 2009.


Johnny Howard, Sr.

Sara H. Howard

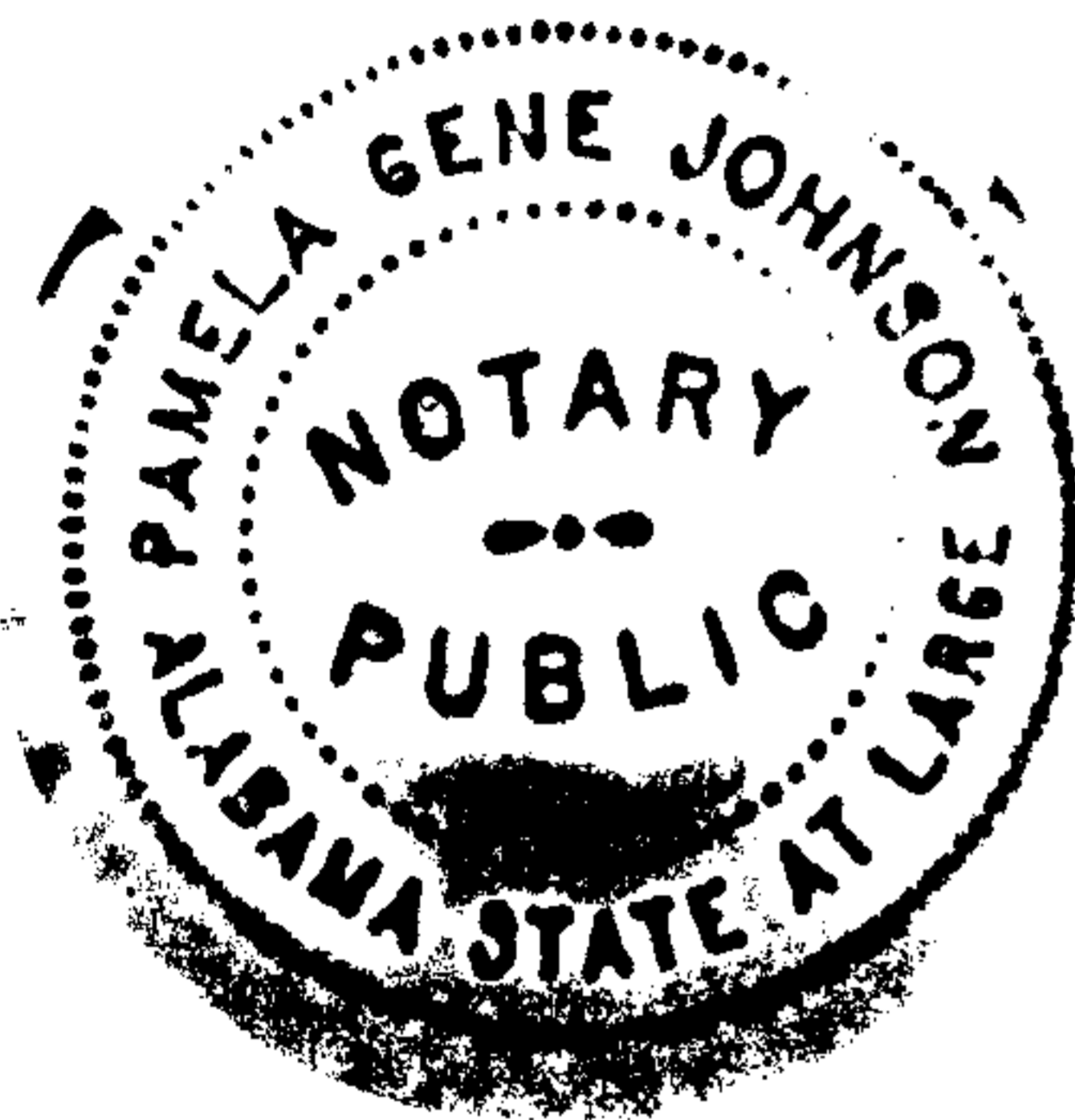
Wife of Johnny Howard, Sr.

STATE OF ALABAMA

COUNTY OF SHELBY

I, the undersigned, a notary public in and for said county, in said state, hereby certify that Johnny Howard, Sr. and Wife, Sara H. Howard, whose names are 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 they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 23rd day of September, 2009.





NOTARY PUBLIC
My Commission Expires: 11/14/12

EXHIBIT A

A 60-foot easement for ingress, egress, and utilities, situated in Sections 17 and 20, Township 21 South, Range 1 East, Shelby County, Alabama, lying 30-feet each side of a centerline, being more particularly described as follows:

Commence at a 3/8-inch rebar found locally accepted to be the Northwest corner of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of said Section 17; thence run East along the North line of said $\frac{1}{4}$ - $\frac{1}{4}$ Section for a distance of 1,267.63 feet to an iron pin set; thence turn an angle to the right of 87 degrees 36 minutes 38 seconds and run in a Southeasterly direction for a distance of 1,084.03 feet to a point; thence turn an angle to the left of 88 degrees 00 minutes 00 seconds and run in an Easterly direction for a distance of 30.02 feet to the point of beginning; thence turn an angle to the right of 88 degrees 00 minutes 00 seconds and run in a Southeasterly direction for a distance of 85.95 feet to a point; thence turn an angle to the right of 02 degrees 59 minutes 42 seconds and run in a Southwesterly direction for a distance of 307.01 feet to a point on a curve to the left, having a central angle of 25 degrees 40 minutes 07 seconds and a radius of 520.00 feet; thence run in a Southeasterly direction along the arc of said curve for a distance of 232.96 feet to a point on a reverse curve to the right, having a central angle of 43 degrees 55 minutes 07 seconds and a radius of 185.00 feet; thence run in a Southeasterly to Southwesterly direction along the arc of said curve for a distance of 141.81 feet to a point; thence run tangent to last stated curve in a Southwesterly direction for a distance of 47.64 feet to a point on a curve to the left having a central angle of 18 degrees 18 minutes 23 seconds and a radius of 150.00 feet; thence run in a Southwesterly direction along the arc of said curve for a distance of 47.93 feet to a point; thence run tangent to last stated curve in a Southwesterly direction for a distance of 201.55 feet to a point on a curve to the right, having a central angle of 07 degrees 38 minutes 50 seconds and a radius of 280.00 feet; thence run in a Southwesterly direction along the arc of said curve for a distance of 37.37 feet to a point; thence run tangent to last stated curve in a Southwesterly direction for a distance of 363.49 feet to a point on a curve to the left, having a central angle of 98 degrees 26 minutes 18 seconds and a radius of 100.00 feet; thence run in a Southwesterly to Southeasterly direction along the arc of said curve for a distance of 171.81 feet to a point; thence run tangent to last stated curve in an Easterly direction for a distance of 491.30 feet to a point on a curve to the right, having a central angle of 59 degrees 48 minutes 18 seconds and a radius of 207.12 feet; thence run in a Southeasterly direction long the arc of said curve for a distance of 216.19 feet to a point; thence run tangent to last stated curve in a Southeasterly direction for a distance of 66.51 feet to the North right of way line of Shelby County Highway No. 30 and the end of said easement.

A 60-foot easement for ingress, egress, and utilities, situated in Section 17, Township 21 South, Range 1 East, Shelby County, Alabama, lying 30-feet each side of a centerline, being more particularly described as follows:

Commence at a 3/8-inch rebar found locally accepted to be the Northwest corner of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of said Section 17; thence run East along the North line of said $\frac{1}{4}$ - $\frac{1}{4}$ Section for a distance of 1267.63 feet to an iron pin set; thence turn an angle to the right of 87 degrees 36 minutes 38 seconds and run in a Southeasterly direction for a distance of 544.00 feet to a point; thence turn an angle to the left of 88 degrees 00 minutes 00 seconds and run in an Easterly direction for a distance of 30.02 feet to a point; thence turn an angle to the right of 88 degrees 00 minutes 00 seconds and run in a Southeasterly direction for a distance of 540.21 feet to the point of beginning; thence turn an angle to the right of 76 degrees 41 minutes 43 seconds and run in a Southwesterly direction for a distance of 152.19 feet to a point on a curve to the right, having a central angle of 26 degrees 01 minutes 04 seconds and a radius of 455.00 feet; thence run in a Southwesterly to Northwesterly direction along the arc of said curve for a distance of 206.61 feet to a point on a compound curve to the right, having a central angle of 66 degrees 08 minutes 18 seconds, and a radius of 100.00 feet; thence run in a Northwesterly direction along the arc of said curve for a distance of 115.43 feet to a point; thence run tangent to last stated curve in a Northwesterly direction for a distance of 96.12 feet to the end of said easement.

EXHIBIT B

COVENANTS & RESTRICTIONS

1. Minimum building set back line shall be no less than 100 feet from any property line.
2. There may be further division of lands herein described into parcels of at least 10 acres each, subject to approval of the Shelby County Planning Department or other agency having jurisdiction over the property.
3. It shall be the responsibility of each owner to prevent the occurrence of any unclean, unsightly refuse or garbage on the described parcels.
4. No one story dwelling house of less than 2000 square feet of heated area, exclusive of porches, carports, basements and decks or terraces and no one and one-half or two story dwellings having less than 2600 square feet of heated area shall be erected on any parcel.
5. No detached outbuilding, storage building or garage shall be erected closer to the street than the front of the dwelling.
6. No trailers, temporary buildings, garages or other buildings shall be built and used for residence purposes prior to the completion of a dwelling on said lots. All residences shall be site-built homes. No mobile homes, modular homes or manufactured homes are allowed.
7. No unused or inoperable vehicles or water craft shall be stored on the property unless stored in a garage or outbuildings.
8. If any person shall violate or attempt to violate any of the covenants and restrictions contained herein, it shall be lawful for any person or persons owning any of the adjoining parcels to prosecute any proceedings at law or in equity, against the person or persons violating any such covenants and restrictions, and either to prevent him or them from doing or to recover damages for such violation. It being understood that this right extends not only to the present owners of said property, but also to any future property owners therein.
- 9 Property shall be used for residential purposes only. No commercial uses are permitted.

RESTRICTIONS ON LAKE USAGE

1. No persons other than owners of property which touches the lake, or members of their household, may use the lake.



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2. No mechanically-powered devices, including but not limited to gasoline powered motors, personal watercraft, and jet skis, may be used on the lake. Canoes and johnboats are permitted. No vessels longer than 16 feet are permitted.
3. No irrigation systems or similar equipment may pump water from the lake.
4. No boathouses or other structures may be built which project into the lake, other than a pier or walk which may project no more than three (3) feet into the lake and which are no longer than 60 square feet in surface area per lot. No other above-ground structure may be placed closer than 100 feet to the shore of the lake without specific written approval of the majority of the property owners entitled to use the lake.
5. Maintenance of the lake shall be shared by owners of property adjoining the lake. They shall contribute ratably to the cost of any materials and labor used in the repair and maintenance of the lake and structures associated therewith.