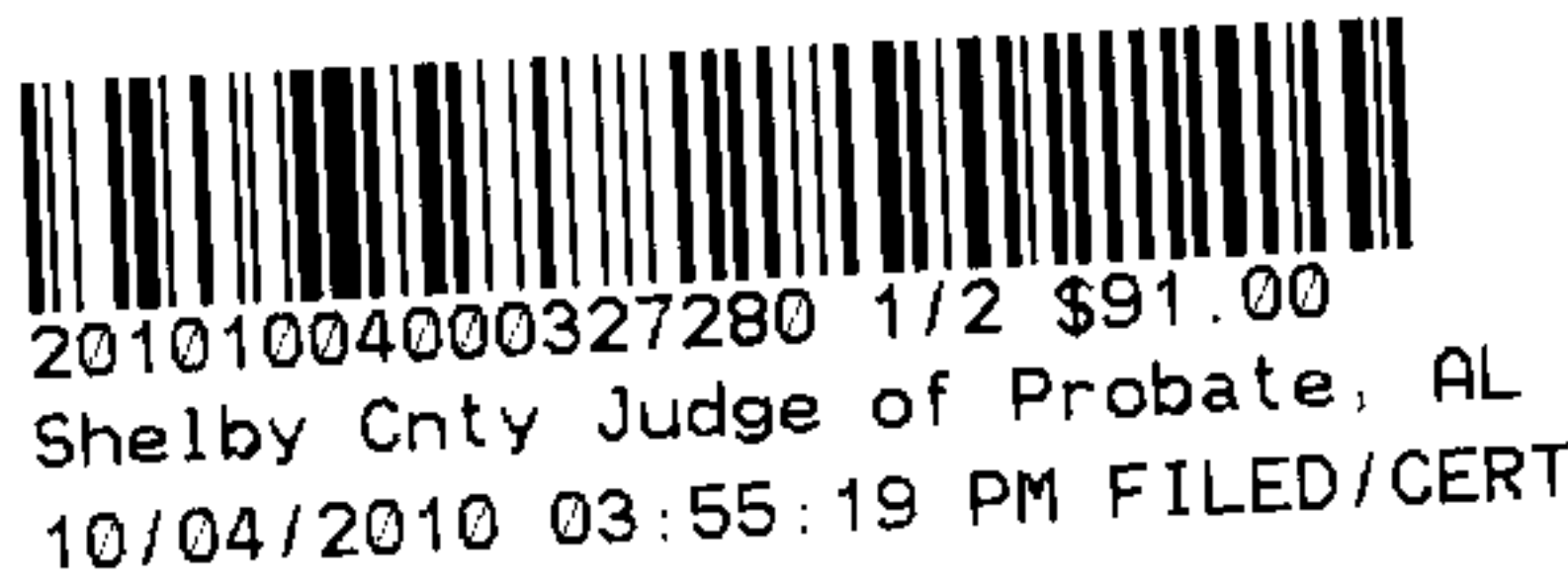


**THIS INSTRUMENT PREPARED BY:**  
**James J. Odom, Jr.**  
**P.O. Box 11244**  
**Birmingham, AL 35202-1244**

**SEND TAX NOTICE TO:**  
**Robert D. Mitchell and Janice S. Mitchell**  
**2560 North Chandalar Lane**  
**Pelham, AL 35124**

**STATE OF ALABAMA                    )**  
**COUNTY OF SHELBY                 )**



**SURVIVORSHIP WARRANTY DEED**

**KNOW ALL MEN BY THESE PRESENTS THAT** in consideration of Seventy-Five Thousand and No/100 Dollars (\$75,000.00), and other good and valuable consideration, paid to the undersigned grantor, Roy Martin Construction, LLC ("Grantor"), by Robert D. Mitchell and Janice S. Mitchell ("Grantees"), the receipt and sufficiency whereof are hereby acknowledged, Grantor does by these presents, grant, bargain, sell and convey unto the Grantees, as joint tenants with right of survivorship, the following described real estate situated in Shelby County, Alabama, to-wit (the "Property"):

A parcel of land located in the Northeast quarter of the Northeast quarter of Section 23 and the Northwest quarter of the Northwest quarter of Section 24, Township 20 South, Range 3 West, Shelby County, Alabama, being more particularly described as follows:

Commence at a 3 inch capped pipe found at the Northeast corner of said Section 23; thence in a Westerly direction, along the North line of said Section 23, a distance of 258.00 feet to a point on the Southwest right of way margin of the Atlantic Coast Line Railroad; thence turn a deflection angle left of 117 deg. 16 min. 59 sec. and along said right of way margin, proceed Southeasterly for 559.50 feet to the POINT OF BEGINNING, which is a 1/2 inch open top pipe found; thence along said right of way margin, continue along last described course for 234.54 feet to an iron pin set; thence departing said right of way margin of Atlantic Coast Line Railroad, turn a deflection angle right of 81 deg. 24 min. 04 sec. and proceed Southwesterly for 103.58 feet to an iron pin set; thence turn a deflection angle right of 88 deg. 13 min. 51 sec. and proceed Northwesterly for 233.01 feet to a 1/4 inch pin found in block; thence turn a deflection angle right of 92 deg. 09 min. 31 sec. and proceed Northeasterly for 145.84 feet to the POINT OF BEGINNING; being situated in Shelby County, Alabama.

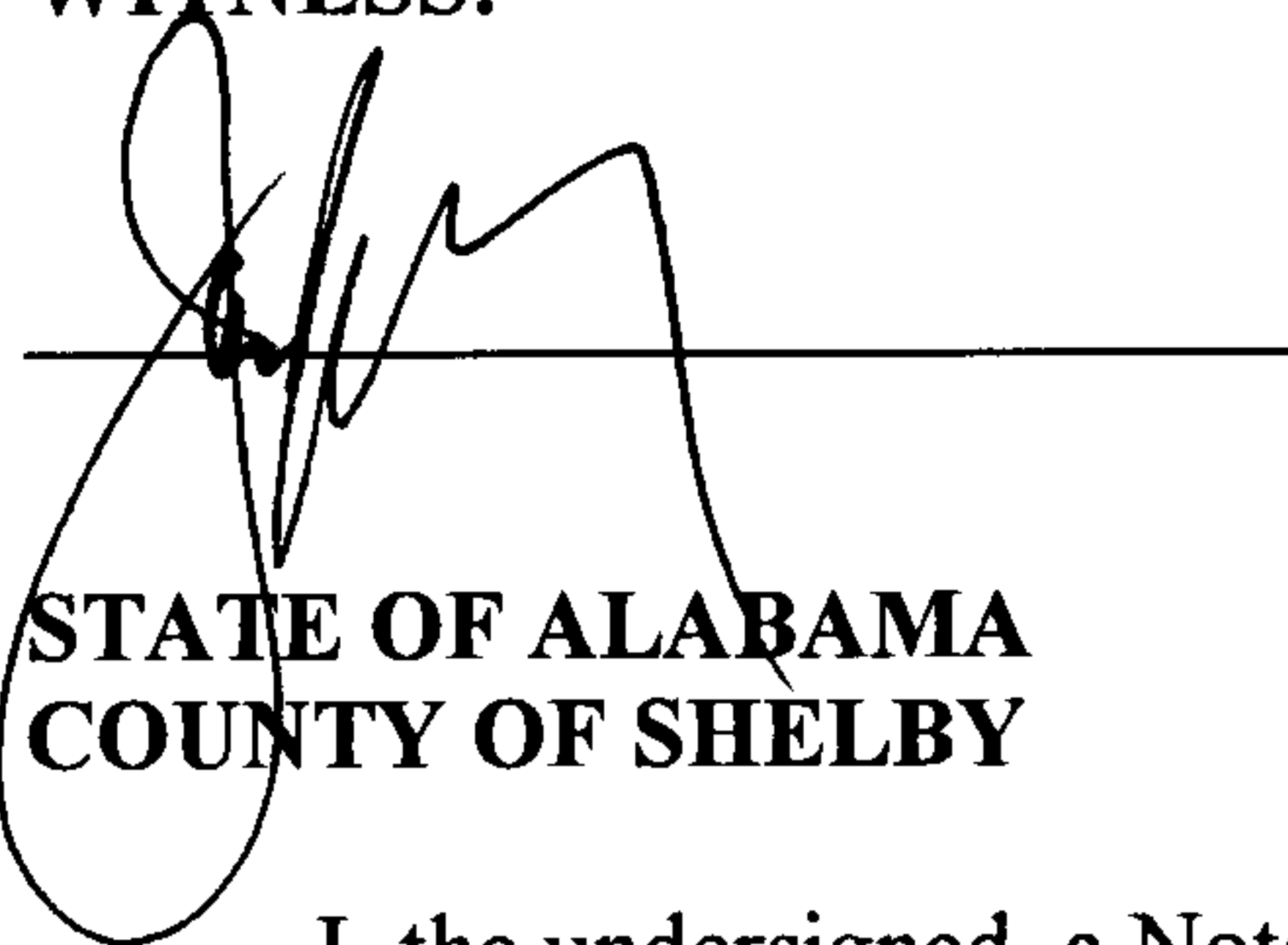
**SUBJECT TO:** (1) Current Taxes; (2) Any minerals or mineral rights leased, granted or retained by prior owners; (3) Less and except any portion of the land lying within any road and/or road right of way; (4) Less and except any portion of the land lying within railroad right of way; (5) Encroachment of Asphalt Drive off of the land on the Southwesterly side, as shown on the Survey of Jim C. McCullers, dated 2-20-2010; (6) Encroachments of overhead power lines onto and /or off of the land on the Northeasterly and Southwesterly sides, as shown on the Survey of Jim C. McCullers, dated 02/20/2010.

**TO HAVE AND TO HOLD** to the Grantees, as joint tenants, with right of survivorship, their heirs and assigns forever; it being the intention of the parties to this conveyance, that (unless the joint tenancy hereby created is severed or terminated during the joint lives of the Grantees herein) in the event one Grantee herein survives the other, the entire interest in fee simple shall pass to the surviving Grantee, and if one does not survive the other, then the heirs and assigns of the Grantees herein shall take as tenants in common.


And Grantor does for itself, its successors and assigns, covenant with Grantees, their heirs and assigns, that it is lawfully seized in fee simple of the Property; that the Property is free from all encumbrances, except as noted above; that Grantor has a good right to sell and convey the Property as aforesaid; that Grantor will, and its successors and assigns shall, warrant and defend the same to the Grantees, their heirs and assigns forever, against the lawful claims of all persons.

**IN WITNESS WHEREOF**, the undersigned have executed this conveyance on this the 30th day of September, 2010.

**WITNESS:**

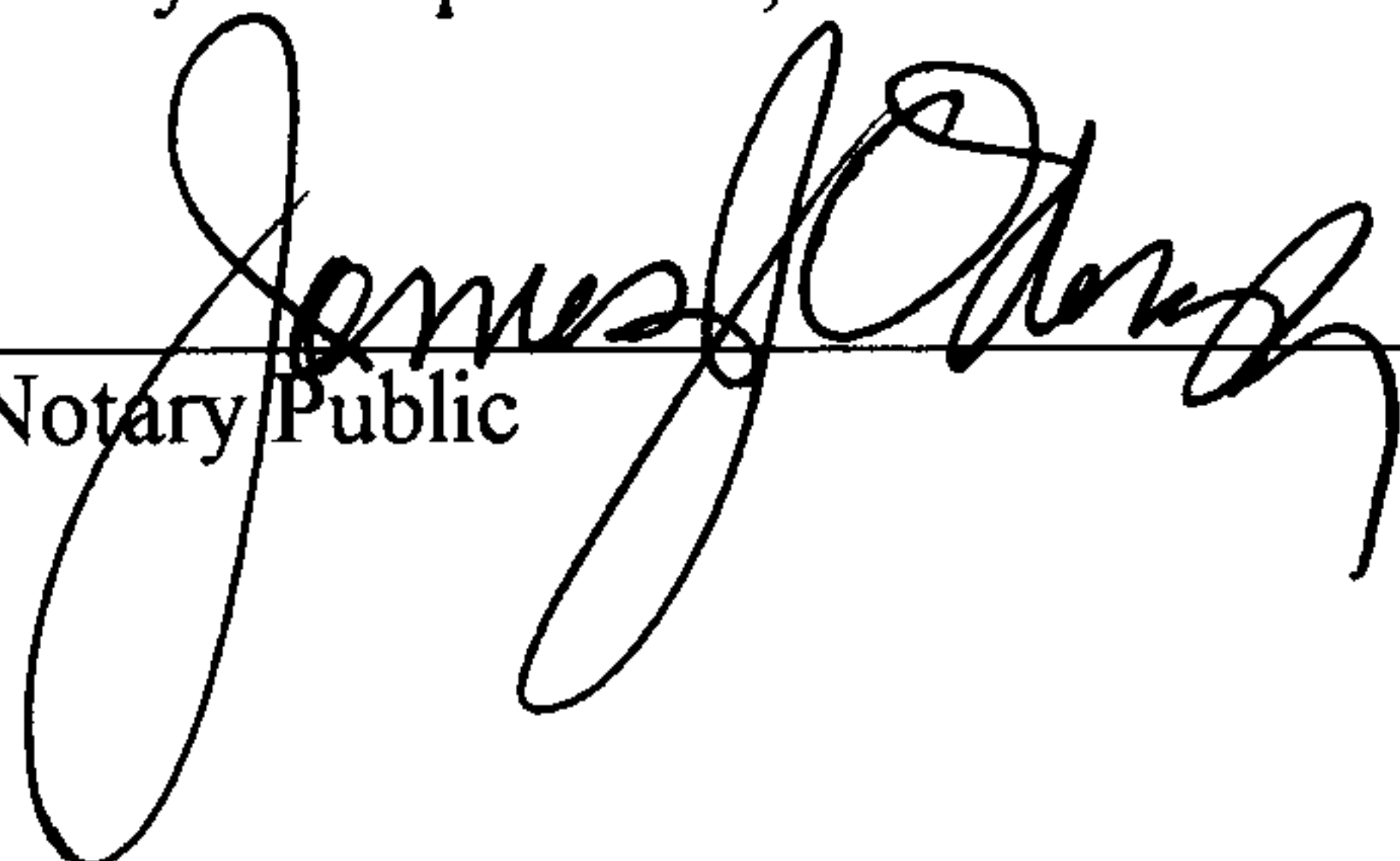
  
STATE OF ALABAMA )  
COUNTY OF SHELBY )

**Roy Martin Construction, LLC**


By:   
Roy L. Martin, as its Sole Member

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Roy L. Martin, whose name as Sole Member of Roy Martin Construction, LLC, an Alabama limited liability company, 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 Member and with full authority, executed the same voluntarily for and as the act of said limited liability company.

Given under my hand and seal this 30th day of September, 2010.

  
Notary Public

My Commission Expires: 07/14/2010

  
20101004000327280 2/2 \$91.00  
Shelby Cnty Judge of Probate, AL  
10/04/2010 03:55:19 PM FILED/CERT