

THIS INSTRUMENT WAS PREPARED BY:
FOSTER D. KEY, ATTORNEY AT LAW
POST OFFICE BOX 360345
BIRMINGHAM, ALABAMA 35236

PLEASE SEND TAX NOTICE TO:
DAN L. HOWARD and wife, PATRICIA A. HOWARD
POST OFFICE BOX 55
MONTEVALLO, AL 35115

WARRANTY DEED JOINTLY FOR LIFE WITH REMAINDER TO SURVIVOR

STATE OF ALABAMA
COUNTY OF SHELBY

KNOW ALL MEN BY THESE PRESENTS, that in consideration of FOUR HUNDRED THOUSAND AND NO/100 DOLLARS (\$400,000.00) and other good and valuable consideration, to the undersigned Grantor in hand paid by the Grantees herein, the receipt whereof is acknowledged, I, WILEY HOWARD COOPER, IV, a married man, (herein referred to as Grantor whether one or more), do grant, bargain, sell and convey unto DAN L. HOWARD and wife, PATRICIA A. HOWARD, (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, the following described real estate situated in SHELBY COUNTY, ALABAMA, to-wit:

A part of the NE ¼ of the SE ¼, of Section 12, Township 19 South, Range 1 East, and the NW ¼ of the SW ¼ of Section 7, Township 19 South, Range 2 East, Shelby County, Alabama and being more particularly described as follows:

Commence at the NW corner of Section 7, Township 19 South, Range 2 East, Shelby County, Alabama and proceed South 3 degrees 32 minutes 53 seconds West along the West boundary of Section 7 for 2743.89 feet to the point of beginning; thence from said point of beginning proceed South 88 degrees 33 minutes 52 seconds East 689.11 feet; thence proceed South 72 degrees 29 minutes 27 seconds East 590.95 feet; thence proceed South 23 degrees 39 minutes 28 seconds West 425.00 feet; thence proceed North 57 degrees 44 minutes 49 seconds West 586.43 feet; thence proceed South 87 degrees 40 minutes 20 seconds West 2113.09 feet; thence proceed North 23 degrees 59 minutes 35 seconds East 428.05 feet; thence proceed South 88 degrees 33 minutes 52 seconds East 1351.73 feet back to the point of beginning; being situated in Shelby County, Alabama.

ALSO, a 40 foot easement for ingress and egress along an existing gravel and chert road from the above described tract of land to Shelby County Highway No. 55, said description of the 40 foot easement being along the center line of the aforementioned gravel and chert road and being more particularly described as follows: Commence at the NW corner of Section 7, Township 19 South, Range 2 East, Shelby County, Alabama and proceed South 3 degrees 32 minutes 53 seconds West along the West boundary of Section 7 for 2743.89 feet; thence proceed South 83 degrees 00 minutes 05 seconds West 1456.20 feet to a point in the center of an existing gravel and chert road, said point being the point of beginning of herein described 40 foot easement; thence from said point of beginning continue along the center of said easement the following courses: North 38 degrees 24 minutes 38 seconds West 65.96 feet, North 71 degrees 18 minutes 28 seconds West 473.59 feet, South 87 degrees 11 minutes 02 seconds West 248.79 feet, South 51 degrees 52 minutes 37 seconds West 188.06 feet, South 72 degrees 01 minutes 05 seconds West 185.93 feet, South 86 degrees 21 minutes 57 seconds West 287.03 feet, South 59 degrees 15 minutes 22 seconds West 73.17 feet, South 10 degrees 44 minutes 14 seconds East 202.24 feet, South 25 degrees 14 minutes 07 seconds West 143.45 feet, South 55 degrees 14 minutes 45 seconds West 148.56 feet, North 84 degrees 39 minutes 28 seconds West 428.95 feet, North 66 degrees 50 minutes 23 seconds West 314.49 feet, South 83 degrees 21 minutes 22 seconds West 318.01 feet, South 34 degrees 12 minutes 40 seconds West 169.53 feet, South 43 degrees 33 minutes 50 seconds West 186.27 feet, South 20 degrees 01 minutes 40 seconds West 136.67 feet, North 81 degrees 47 minutes 00 seconds West 64.16 feet, North 7 degrees 14 minutes 28 seconds East 304.17 feet, North 4 degrees 36 minutes 44 seconds West 191.11 feet, North 8 degrees 11 minutes 19 seconds East 206.92 feet, North 8 degrees 58 minutes 53 seconds West 195.50 feet, North 0 degrees 32 minutes 09 seconds West 414.23 feet, North 25 degrees 27 minutes 50 seconds West 111.40 feet, North 37 degrees 17 minutes 22 seconds West 521.14 feet, North 21 degrees 47 minutes 52 seconds West 653.52 feet, North 41 degrees 44 minutes 54 seconds West 207.80 feet, North 27 degrees 31 minutes 42 seconds West 152.04 feet, North 18 degrees 42 minutes 05 seconds West 372.46 feet, North 47 degrees 36 minutes 27 seconds West 248.06 feet, North 61 degrees 24 minutes 37 seconds West 321.39 feet, North 71 degrees 49 minutes 39 seconds West 475.69 feet, North 81 degrees 50 minutes 54 seconds West 246.01 feet, South 51 degrees 40 minutes 09 seconds West 231.93 feet, South 34 degrees 11 minutes 48 seconds West 579.85 feet, South 18 degrees 45 minutes 40 seconds West 334.11 feet, South 32 degrees 33 minutes 21 seconds West 306.38, South 55 degrees 00 minutes 03 seconds West 220.50 feet,

North 69 degrees 02 minutes 50 seconds West 182.67 feet to the point of termination of herein described 40 foot easement; being situated in Shelby County, Alabama.

SUBJECT TO:

1. Taxes for the year 2011, which are a lien but not yet due and payable until October 1, 2011.
2. Restrictions, covenants and conditions as set out in instrument(s) recorded in Instrument Number 1996-4784 in the Probate Office.
3. Easement(s) to Alabama Power Company as shown and recorded in Instrument Number 1998-4873 in Probate Office.
4. Easement(s) to Ayers Interests, Inc. as shown and recorded in Deed Book 351, Page 732 in Probate Office.
5. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto, including those set out in Deed Book 110, Page 717 in the Probate Office.
6. Riparian and other rights created by the fact that the land fronts on Colleton Lake.
7. Rights of others to use non-exclusive perpetual easement between Hall & Lucille Thompson and Colleton, an Alabama General Partnership as recorded in Instrument Number 1995-7790 in the Probate Office.
8. Rights of others to use of access easement as set out hereinabove.

THE HEREINABOVE SUBJECT PROPERTY DOES NOT CONSTITUTE A PART OF THE HOMESTEAD OF THE HEREINABOVE NAMED GRANTOR AND HIS SPOUSE.

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 or reversion.

And I do for myself, and for my heirs, executors, and administrators covenant with the said Grantees, their heirs and assigns, that I am lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that I have a good right to sell and convey the same as aforesaid; that I will and my 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, I have hereunto set my hand and seal this 10TH day of DECEMBER, 2010.


WILEY HOWARD COOPER, IV

STATE OF ALABAMA
COUNTY OF SHELBY

I, the undersigned, a notary public in and for said county, in said state, hereby certify that WILEY HOWARD COOPER, IV, a married man, whose name is signed to the foregoing conveyance and who are 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 10TH day of DECEMBER, 2010.


NOTARY PUBLIC
My Commission Expires: 10/31/2011