

THIS INSTRUMENT PREPARED BY:
W. L. Longshore, III
2009 Second Avenue North
Birmingham, Alabama 35203

SEND TAX NOTICE TO:
Steve Upton
P.O. Box 336
Birmingham, AL 35201

20,000

WARRANTY DEED

STATE OF ALABAMA)
SHELBY COUNTY)

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of Ten and no/100 (\$10.00 DOLLARS) and other good and valuable consideration to the undersigned grantor (whether one or more), in hand paid by the grantee herein, the receipt whereof is acknowledged, I, or we,

David Y. Upton, Steve D. Upton and Kent A. Upton, all married men

(herein referred to as grantor) does hereby grant, bargain, sell and convey unto

DAY, LLC, an Alabama Limited Liability Company

(herein referred to as grantee, whether one or more), all of their undivided interest in the following described real estate situated in Shelby County, Alabama to-wit:

See attached legal description marked Exhibit "A"

SUBJECT TO: 1. 2012 taxes
2. Easements and restrictions of record

20111208000370690 1/3 \$39.00
Shelby Cnty Judge of Probate, AL
12/08/2011 10:38:58 AM FILED/CERT

The above described property does not constitute the homestead of any of the grantors or their spouses.

TO HAVE AND TO HOLD Unto the said grantee, his, her or their heirs and assigns, forever.

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

IN WITNESS WHEREOF, I or we have hereunto set my or our hand(s) and seal(s), this 6 day of Dec, 2011.

CPJ. (Seal)
Witness

David Y. Upton (Seal)
David Y. Upton

CPJ. (Seal)
Witness

Steve D. Upton (Seal)
Steve D. Upton

CPJ. (Seal)
Witness

Kent A. Upton (Seal)
Kent A. Upton

STATE OF ALABAMA)
JEFFERSON COUNTY)

GENERAL ACKNOWLEDGMENT

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that David Y. Upton, Steve D. Upton and Kent A. Upton whose names are 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, they executed the same voluntarily on the day the same bears date.

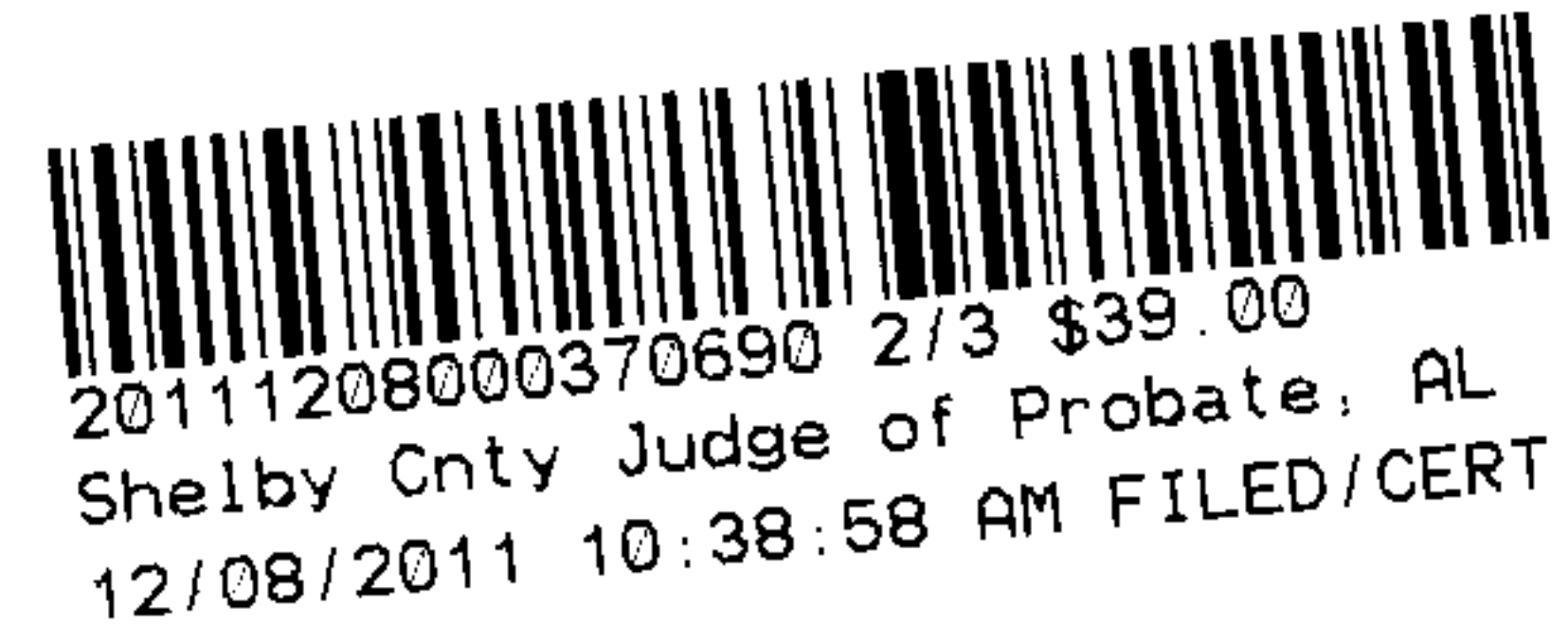
Given under my hand and official seal this 6th day of December, 2011.

Shelby County, AL 12/08/2011
State of Alabama
Deed Tax: \$20.00

Linda Ann Cochran
Notary Public:
My Commission Expires:

MY COMMISSION EXPIRES SEPTEMBER 1, 2016

EXHIBIT A



PROPERTY DESCRIPTION

PARCEL 1

A parcel of land situated in the Southwest quarter of the Northwest quarter of Section 34, Township 20 south, Range 2 West in Shelby County, Alabama, and being more particularly described as follows:

Commence at the Northeast corner of the Southwest quarter of the Northwest quarter of Section 34, Township 20 South, Range 2 West; thence South $2^{\circ} 56' 28''$ West a distance of 660.99 feet to the POINT OF BEGINNING; thence South $53^{\circ} 48' 08''$ East a distance of 26.22 feet to a point on the centerline of a dirt road, said point lying on a curve to the right (concave Southwesterly) having a radius of 112.33 feet and a central angle of $3^{\circ} 12' 57''$; thence along said centerline and the arc of said curve a distance of 6.30 feet, said arc subtended by a chord which bears South $48^{\circ} 53' 02''$ East a distance of 6.20 feet, to the end of said curve; thence South $47^{\circ} 16' 33''$ East along said centerline a distance of 37.03 feet, to a point on a curve to the left having a radius of 253.26 feet and a central angle of $8^{\circ} 09' 15''$; thence along said centerline and the arc of said curve a distance of 36.04 feet, said arc subtended by a chord which bears South $51^{\circ} 21' 11''$ East a distance of 36.01 feet, to the end of said curve; thence South $55^{\circ} 25' 49''$ East along said centerline a distance of 36.75 feet; thence $84^{\circ} 14' 11''$ East and leaving said centerline a distance of 558.42 feet; thence North $87^{\circ} 15' 09''$ West a distance of 667.87 feet to the Point of Beginning.

AND ALSO:

PARCEL 2

A parcel of land situated in the North half of the Southwest quarter of the Northwest quarter of Section 34, Township 20 South, Range 2 West, Shelby County, Alabama, described as follows:

Commence at the Northeast corner of said quarter-quarter section; thence run West along the North line of said quarter-quarter section for 1334.44 feet to the Northwest corner of said quarter-quarter section; thence $89^{\circ} 25' 38''$ left and run South along the West line of said quarter-quarter section for 661.02 feet; thence $90^{\circ} 22' 32''$ left and run East for 1335.64 feet; thence $88^{\circ} 57' 23''$ left and run North along the East line of said quarter-quarter section for 665.74 feet to the point of beginning.

LESS AND EXCEPT:

A parcel of land situated in the Southwest quarter of the Northwest quarter of Section 34, Township 20 south, Range 2 West in Shelby county, Alabama, and being more particularly described as follows:

Commence at the Northeast corner of the Southwest quarter of the Northwest quarter of Section 34, Township 20 south, Range 2 West; thence South $3^{\circ} 43' 30''$ West a distance of 568.73 feet to the

POINT OF BEGINNING; thence continue along the last described course a distance of 100.00 feet; thence North 87° 15' 09" West a distance of 666.40 feet; thence North 84° 14' 11" East a distance of 675.55 feet to the Point of Beginning.

Less & except any part of the above property lying within dirt road.



20111208000370690 3/3 \$39.00
Shelby Cnty Judge of Probate, AL
12/08/2011 10:38:58 AM FILED/CERT

Inst. # 2000-07149

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SHELBY COUNTY JUDGE OF PROBATE
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