

AFFIDAVIT

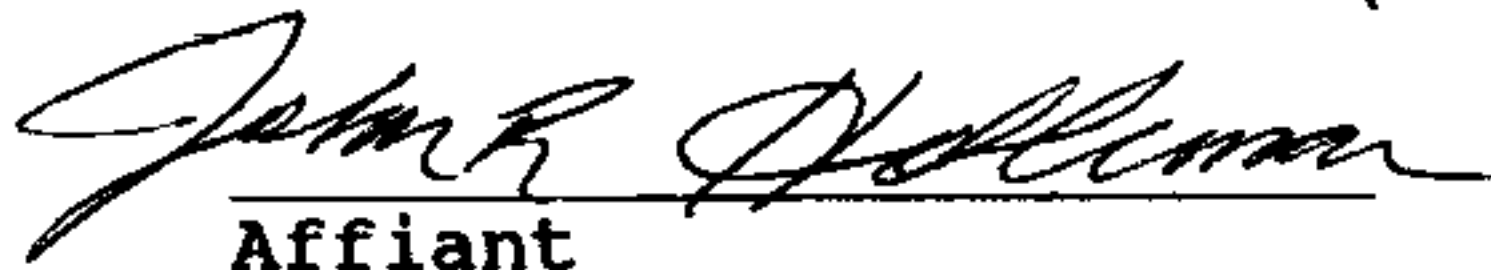
STATE OF ALABAMA
Shelby COUNTY

Before me, the undersigned authority in and for said County and State personally appeared John R. Holliman whose name is signed to this affidavit and who is known to me and who first being duly sworn, deposes and says as follows:

My name is John R. Holliman. I am a practicing attorney in Pelham, Al. I prepared the deed attached to this affidavit. The original recorded deed failed to state whether W.A. McNeely, III was a married man.

This affidavit is made for the purpose of correcting said deed in that it should have read that the Grantor W.A. McNeely III was/is a married man and the property therein being conveyed does/did not constitute the homestead of the Grantor.

In Witness Whereof, I have unto set my hand and seal on this the 21st day of July 1997.


Affiant

Sworn to and subscribed before me
this the 21st day of July 1997



Notary Public

8-3-98

Inst # 1997-25810

08/14/1997-25810
08:03 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 MCD 11.00

Inst # 1997-25810

This form furnished by: **Cahaba Title, Inc.**

4-15-97
Eastern Office
(205) 833-1571
FAX 833-1577

Riverchase Office
(205) 988-5800
FAX 988-5905

This instrument was prepared by:

(Name) Holliman, Shockley & Kelly

(Address) 2491 Pelham Parkway
Pelham, AL 35124

Send Tax Notice to:

(Name) Armeen Nicholas

(Address) 120 Grande Club Drive
Maylene, AL 35114

WARRANTY DEED, JOINTLY FOR LIFE WITH REMAINDER TO SURVIVOR

STATE OF ALABAMA

Shelby

COUNTY

KNOW ALL MEN BY THESE PRESENTS,

That in consideration of One Hundred Sixty Nine Thousand Four Hundred and no/100(\$169,400.00) DOLLARS to the undersigned grantor or grantors in hand paid by the GRANTEEES herein, the receipt of which is hereby acknowledged, we,

W. A. McNeely, III

(herein referred to as grantors), do grant, bargain, sell and convey unto

Armeen Nicholas and wife, Sherry T. Nicholas

(herein referred to as GRANTEEES), as joint tenants, with right of survivorship, the following described real estate, situated in

Shelby

County, Alabama, to-wit:

Lot 29, according to the Survey of Grande View Estates, Givianpour Addition to Alabaster, Third Addition, as recorded in Map Book 20, Page 11, in the Probate Office of Shelby County, Alabama.

SUBJECT TO: (1) Taxes for the year 1997 and subsequent years; (2) Easements, restrictions, reservations, rights-of-way, limitations, covenants and conditions of record, if any; (3) Mineral and mining rights, if any.

\$ 104,000.00 of the purchase price is being paid by the proceeds of a first mortgage loan executed and recorded simultaneously herewith.

The herein described property does not constitute the homestead of W.A. McNeely, III or his spouse.

Inst # 1997-07735

03/12/1997-07735
11:24 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
001 MEL 74000

Inst # 1997-25810

08/14/1997-25810
08:03 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 MCD 11.00

TO HAVE AND TO HOLD, unto the said GRANTEEES 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 I (we) do, for myself (ourselves) and for my (our) heirs, executors and administrators, covenant with said GRANTEEES, their 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 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 GRANTEEES, their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, I have hereunto set my hand(s) and seal(s) this 7th day of March, 19 97.

WITNESS

(Seal)

(Seal)

(Seal)

W. A. McNeely, III
(Seal)

(Seal)

(Seal)

STATE OF ALABAMA

Shelby County } General Acknowledgment

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that W. A. McNeely, III, whose name 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 executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this 7th day of March, A.D. 19 97.

NOTARY PUBLIC STATE OF ALABAMA AT LARGE

My Commission COMMISSION EXPIRES: MARCH 12, 1997

Notary Public