

This instrument was prepared by  
**Mitchell A. Spears**  
ATTORNEY AT LAW  
P.O. Box 119 205/665-5102  
Montevallo, AL 35115-0091 205/665-5076

Send Tax Notice to:  Randall L. Sears and  
(Name) Kelly D. Sears  
(Address) 263 Pebble Road  
Montevallo, AL 35115

\*\*\*MINIMUM VALUE: \$1,000.00\*\*\*

**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 DOLLAR (\$1.00) AND OTHER GOOD AND VALUABLE CONSIDERATION--- DOLLARS to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt whereof is acknowledged, we, RANDALL L. SEARS, and wife, KELLY D. SEARS (herein referred to as grantors) do grant, bargain, sell and convey unto RANDALL L. SEARS, and wife, KELLY D. SEARS (herein referred to as GRANTEES 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:

SEE EXHIBIT "A" ATTACHED HERETO  
AND INCORPORATED HERewith AS THOUGH  
FULLY SET OUT HEREIN.

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05/20/1999-21227  
12:11 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 NWS 12.00

TO HAVE AND TO HOLD to the said GRANTEES 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 for such survivor forever.

And I (we) do for myself (ourselves) and for my (our) heirs, executors, and administrators covenant with the said GRANTEES, 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 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 GRANTEES, their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, we have hereunto set our hand(s) and seal(s), this 19th day of May, 19 99.

WITNESS  
\_\_\_\_\_  
(Seal)  
\_\_\_\_\_  
(Seal)  
\_\_\_\_\_  
(Seal)  
Randall L. Sears (Seal)  
RANDALL L. SEARS  
Kelly D. Sears (Seal)  
KELLY D. SEARS (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 RANDALL L. SEARS and KELLY D. SEARS whose name 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 19th day of May, A.D., 19 99  
5/17/2003  
Mitchell A. Spears  
Notary Public  
My Commission Expires:

## EXHIBIT "A"

Commence at the S.E. corner of Section 18, T 22 S, R 3 W, and run N-89°52'30"-W for 2000.78 feet to a point on the west R.O.W. line of Pebble Road; thence continue along the last stated course for 297.47 feet to a point; thence S-50°14'-W for 358.69 feet to a point; thence S-46°40'16"-W for 289.03 feet to a point; thence S-46°31'55"-W for 100.47 feet to a point; thence S-75°14'12"-W for 9.50 feet to a point; thence S-81°10'44"-W for 134.24 feet to a point; thence N-64°22'03"-W for 696.48 feet to the point of beginning; thence N-10°43'07"-W for 109.5 feet to a point; thence N-4°43'07"-W for 153.5 feet to a point; thence 90° right in an easterly direction for 183.47 feet to a point; thence 67°18'59" right in a southeasterly direction for 175.58 feet to a point; thence 90° to the right in a southwesterly direction for 261.14 feet to the point of beginning. Containing 1.1 acres more or less.

## 30 Foot Easement for Driveway:

Commence at the S.E. corner of Section 18, T 22 S, R 3 W, and run N-89°52'30"-W for 2000.78 feet to a point on the west R.O.W. line of Pebble Road; thence 87°02'58" right for 35.03 feet to a point in the center of Pebble Lane, being the point of beginning of the centerline of the easement herein described; thence 81°54'02" left in a westerly direction for 447.13 feet; thence 44°57'25" right in a northwesterly direction for 205.16 feet; thence 46°20'50" left in a westerly direction for 212.71 feet; thence 17°33'12" right in a northwesterly direction for 202.44 feet; thence 25°34'08" left in a westerly direction for 230.28 feet; thence 57°00'44" left in a southwesterly direction for 96.46 feet; thence 12°38'12" right in a southwesterly direction for 313.76 feet to the point of ending.

## SUBJECT TO:

- Taxes for 1999 and subsequent years. 1999 ad valorem taxes are a lien but not due and payable until October 1, 1999.
- Any loss, claim, damage, or expense including additional tax due, if any, arising from or due to the fact that ad valorem taxes for subject property have been paid under a current use assessment.
- Liability under this binder is limited to amount actually disbursed from proceeds of loan secured by instrument identified in Schedule A, hereto, but increases as each disbursement is made in good faith and without knowledge of any defect in, or object to title to the face amount of binder.
- Statutory liens for labor or material which now have gained or may hereinafter have gained priority over the lien of said mortgage where no notice thereof appears of record.
- Permits to Alabama Power Company recorded in Deed Book 131, Page 467; Deed Book 272, Page 920; Deed Book 274, Page 28; Deed Book 102, Page 309; Deed Book 269, Page 867; Deed Book 127, Page 370 and Deed Book 130, Page 144 in Probate Office of Shelby County, Alabama.
- Right of way to Shelby County recorded in Deed Book 237, Page 387 in Probate Office.
- Title to minerals underlying caption lands with mining rights and privileges belonging thereto.
- Oil and gas lease recorded in Real Book 217, Page 231 in Probate Office.
- Riparian rights in and to the use of Davis Creek.

DATED:

May 19, 1999

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