

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

PLEASE SEND TAX NOTICE TO:  
MARK S. ROSE and wife, NANCY L. ROSE  
266 WOODBURY DRIVE  
STERRETT, AL 35147

**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 SIXTY FIVE THOUSAND AND NO/100 DOLLARS (\$65,000.00) and other good and valuable consideration, to the undersigned Grantor in hand paid by the Grantees herein, the receipt whereof is acknowledged, the ANDERSON UNIVERSITY, ANDERSON, INDIANA, TRUSTEE FOR WILLIS D. MOORE, JR., TRUST, (herein referred to as Grantor whether one or more), do grant, bargain, sell and convey unto MARK S. ROSE and wife, NANCY L. ROSE, (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:

Lot 1, according to the Survey of Willis Moore Subdivision, as recorded in Map Book 25, Page 66, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama. Together with a non-exclusive 30 foot easement as shown on the recorded plat on Map Book 25, Page 66, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

SUBJECT TO:

1. Taxes for the year 2003, which are a lien but not yet due and payable until October 1, 2003.
2. Restrictions, covenants and conditions as set out in instrument(s) recorded in Inst. No. 1999-12814 in the Probate Office.
3. Transmission Line Permit(s) to Alabama Power Company as shown by instrument(s) recorded in Deed 202, Page 374; Deed 214, Page 349; Deed 102, Page 161 and Deed 136, Page 348, in the Probate Office.
4. Right(s) of Way(s) granted to Shelby County by instrument(s) recorded in Deed 135, Page 433 in the Probate Office.
5. Restrictions, limitations and conditions as set out in Map Book 25, Page 66, in the Probate Office.
6. Rights of others to use of easement as set out in Map Book 25, Page 66.
7. Less and except any portion of subject land lying within Highway No. 335.

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 the Grantor does for itself, and for its heirs, executors, and administrators covenant with the said Grantees, their heirs and assigns, that it is lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that the Grantor has a good right to sell and convey the same as aforesaid; that Grantor will and its 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, Grantor has hereunto set its hand and seal this 15<sup>th</sup> day of OCTOBER, 2002.

ANDERSON UNIVERSITY, ANDERSON,  
INDIANA, TRUSTEE FOR WILLIS D. MOORE,  
JR., TRUST

BY: [Signature]  
AS: PRESIDENT

AND  
BY: [Signature]  
AS: TREASURER

STATE OF INDIANA

COUNTY OF Madison

I, the undersigned, a notary public in and for said county, in said state, hereby certify that James L. Edwards, as President, and Sena K. Landey, as Treasurer, of ANDERSON UNIVERSITY, ANDERSON, INDIANA, TRUSTEE FOR WILLIS D. MOORE, JR., TRUST, whose names as 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, as such Officer and with full authority, executed the same voluntarily on the day the same bears date on behalf of Anderson University, Anderson, Indiana, Trustee for Willis D. Moore, Jr., Trust.

Given under my hand and official seal this 15<sup>th</sup> day of OCTOBER, 2002.

Sue Fuller  
NOTARY PUBLIC  
My Commission Expires: 9-8-06