10,000.00

20060223000088330 1/2 $24.00
Shelby Cnty Judge of Probate,AL
02/23/2006 11:55:19AM FILED/CERT

This instrument was prepared by:
Wallace, Ellis, Fowler & Head
P O Box 587
Columbiana, AL 35051

Send Tax Notice to:
Mr. & Mrs. Joe E. Merrell
434 County Road 403
Clanton, AL 35045

WARRANTY DEED, JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

STATE OF ALABAMA)
SHELBY COUNTY)

KNOW ALL MEN BY THESE PRESENTS, That in consideration of **ONE AND NO/00 DOLLARS ----------($1.00)**, and division of family property according to unprobated Will of D. S. Merrell, deceased, to the undersigned grantor (whether one or more), in hand paid by grantee herein, the receipt whereof is acknowledged, I or we, **Wilton N. Merrell, a married man, (herein referred to as grantor, whether one or more)** grant, bargain, sell and convey unto, **Joe Earl Merrell and Dorothy Merrell, (herein referred to as grantee, whether one or more),** the following described real estate, situated in Shelby County, Alabama, to-wit:

South 1/3 of following described property:

All that part of the E ½ of E ½ of W ½ of NW ¼ of Section 17, Township 21, Range 2 West lying North of the Columbiana-Saginaw Road, except lot in Southeast corner heretofore conveyed to L. H. Driver, being described as follows: Beginning at a point on the North line of Columbiana public road where it intersects the East line of the W ½ of NW ¼ of Section 17, Township 21, Range 2 West and run North along said boundary line 135 feet; thence Westerly and parallel with the North line of said Columbiana road 250 feet; thence South and parallel with the East line of said W ½ of NW ¼ to the North line of said Columbiana road; thence Easterly with said road to the point of beginning; being situated in Shelby County, Alabama. Said property being 3 acres more or less.

Subject, however, to all rights to the use of a well situated on the West line of said lot as provided for by an easement executed by Jessie Driver and Versie Driver to Pervie Vanderslice on March 1, 1951.

Subject to taxes for 2005 and subsequent years, easements, restrictions, rights of way and permits of record.

THIS PROPERTY CONSTITUTES NO PART OF THE HOMESTEAD OF THE GRANTOR OR HIS RESPECTIVE SPOUSE.

The above described property was owned by D.S. Merrell and Amna Merrell, as joint tenants with right of survivorship, by virtue of deed recorded in Deed Book 245, Page 563, in the Probate Office of Shelby County, Alabama. Amna Merrell died March 17, 1977. D.S. Merrell died January 10, 2006. Wilton N. Merrell and Joe Earl Merrell are the only children of and sole surviving heirs at law of D.S. Merrell.

TO HAVE AND TO HOLD Unto the said GRANTEES 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 the said Grantees, their heirs and assigns, and 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 Grantees, heirs, executors and assigns forever, against the lawful claims of all persons.

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IN WITNESS WHEREOF, I have hereunto set my hand and seal this 16th day of February, 2006.

Wilton N. Merrell

Wilton N. Merrell

STATE OF ALABAMA)
SHELBY COUNTY)

I, the undersigned authority, a Notary Public in and for said County, in said State hereby certify that Wilton N. Merrell, 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 16th day of February, 2006.

Notary Public

My commission expires: 10-6-08

Shelby County, AL 02/23/2006
State of Alabama

Deed Tax:$10.00