

This instrument was prepared by

(Name) William E. Swatek, Attorney

(Address) P. O. Box 825, Alabaster, Alabama, 35007

3648

WARRANTY DEED, JOINTLY FOR LIFE WITH REMAINDER TO SURVIVOR - AMERICAN TITLE INS. CO., Birmingham, Alabama

STATE OF ALABAMA

Shelby COUNTY

KNOW ALL MEN BY THESE PRESENTS,

That in consideration of Thirty-Five Thousand & no/100 (\$35,000.00)-----DOLLARS and the assumption of the hereinafter described mortgages,

to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt whereof is acknowledged, we,

William E. Swatek and Lana D. Swatek, husband and wife,

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

Phillip J. Lusco and Virginia M. Lusco

(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, together with every contingent remainder and right of reversion, the following described real estate situated

in Shelby County, Alabama to-wit:



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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 of such survivor forever, together with every contingent remainder and right of reversion.

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 said 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 29th day of March, 1976.

WITNESS:

(Seal)

(Seal)

(Seal)

William E. Swatek (Seal)
William E. Swatek

Lana D. Swatek (Seal)
Lana D. Swatek

STATE OF ALABAMA

Shelby COUNTY

General Acknowledgment


I, Marion C. Shelley, a Notary Public in and for said County, in said State, hereby certify that William E. Swatek and Lana D. Swatek, husband and wife, 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 29th day of March, A. D., 1976.

Marion C. Shelley
Notary Public

PARCEL NO. 1: A parcel of land situated in the South Half of SW $\frac{1}{4}$ of Section 24, Township 20, Range 3 West, described as follows: For a point of beginning run North 19 deg. 30 min. West 115 feet from the point of intersection of the East boundary line of the Old Birmingham-Montgomery Highway right of way with the intersection of the line between Sections 24 and 25, Township 20, Range 3 West; run thence North 19 deg. 30 min. West along the East right of way line of said highway 105 feet, more or less, to the SW corner of property heretofore conveyed to the Trustees of the Church of Christ as shown by deed recorded in Deed Book 130 at page 118, Office of Judge of Probate of Shelby County, Alabama; thence North 87 deg. 35 min. East along the South line of said Church of Christ property a distance of 1677.3 feet, more or less, to the East line of the SW $\frac{1}{4}$ of Section 24; run thence South along the East line of said SW $\frac{1}{4}$ a distance of 105 feet; run thence South 87 deg. 35 min. West a distance of 1677.3 feet to the point of beginning, less and except the following described parcel which was heretofore conveyed by Melissa H. Nelson to John Daniel Brasher and wife, and to Keystone Church of Christ, viz.: From the Southwest corner of Section 24, Township 20 South, Range 3 West, run Easterly along the South boundary line of the said Section 24, Township 20 South, Range 3 West 974.58 feet, more or less, to the point of intersection of the South boundary line of Section 24, Township 20 South, Range 3 West and the East right of way line of U. S. 31 Highway; thence turn an angle of 106 deg. 38 $\frac{1}{2}$ min. to the left and run Northwesterly along the East right of way line of said U. S. 31 Highway 115.0 feet to the point of beginning of the land herein described and conveyed; thence continue Northwesterly along the East right of way line of said highway for 100.0 feet; thence turn an angle of 106 deg. 38 $\frac{1}{2}$ min. to the right and run Easterly 225.33 feet; thence turn an angle of 88 deg. 00 min. to the right and run South-easterly 88.30 feet; thence turn an angle of 89 deg. 50 min. to the right and run South-westerly 200.0 feet, more or less, to the point of beginning. This land being a part of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 24, Township 20 South, Range 3 West, and being 0.70 acres, more or less.

PARCEL NO. 2: A parcel or tract of land situated in the South Half of the SW $\frac{1}{4}$ of Section 24, Township 20, Range 3 West, described as follows: For a point of beginning run North 19 deg. 30 min. West for a distance of 10 feet from the point of intersection of the East boundary line of the Birmingham-Montgomery Highway right of way with the Section line between Sections 24 and 25 in Township 20, Range 3 West, which said point of beginning is marked by an iron pin; run thence North 19 deg. 30 min. West along the East right of way line of said Birmingham-Montgomery paved Highway a distance of 105 feet; run thence North 87 deg. 25 min. East a distance of 1677.3 feet, more or less, to the East line of the SW $\frac{1}{4}$ of said Section 24; run thence in a Southerly direction along the East line of said SW $\frac{1}{4}$ of said Section 24, a distance of 105 feet; run thence South 87 deg. 25 min. West a distance of 1667.3 feet, more or less, to the point of beginning, being the same property heretofore conveyed to Melissa H. Nelson and husband, as shown by deed recorded in Deed Book 157 at page 590, Office of Judge of Probate of Shelby County, Alabama. Subject to easements and rights of way of record; coal, iron, and other mineral and mining rights in and to that portion of the said property situated in the SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 24, Township 20 South, Range 3 West are excepted; and subject to mortgages referred to hereinabove. Also, warranties in deed of conveyance will not extend to the South 10 feet of the West 6.42 chains of the subject property, but said deed will be a quit claim deed insofar as said property is concerned.


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This conveyance is made subject to:

1. Taxes due Oct. 1, 1976, which grantees herein assume and agree to pay.
2. As to Parcel No. 1:
 - (a) Public road right of way deeds to Shelby County recorded in Deed Book 105, at Page 477, and Deed Book 167, Page 470.
 - (b) Transmission line permit to Alabama Power Company recorded in Deed Book 220, Page 65.
3. As to Parcel 2:
 - (a) Public road right of way deed to Shelby County recorded in Deed Book 105, Page 477, and Public road right of way condemned by Shelby County through eminent domain proceedings filed March 5, 1954, the Petition for Order of Condemnation being filed in Final Record 16, at Page 65, et. seq., Office of Judge of Probate of Shelby County, Alabama.
 - (b) The South 10 feet of the West 6.42 chains of the subject property was not included in one of the previous deeds in the chain of title (Deed Book 89, Page 355) and hence is excepted herein.
4. Coal, iron and other minerals and mining rights in and to the SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 24, Township 20, Range 3 West.
5. Mortgage from William E. Swatek and wife, Lana Daniels Swatek and Richard W. Bell and wife, Pamela Brown Bell, to Melissa H. Nelson (a purchase money mortgage), dated October 2, 1973, filed for record in the Office of Probate, County of Shelby, State of Alabama, on October 10, 1973, at 11:10 o'clock A. M. and recorded in Mortgage Book 334, Page 585, to secure the principal sum of \$75,000.00, which said mortgage the grantees herein assume and agree to pay, together with the note secured thereby, in accordance with the terms and conditions of said note and mortgage.
6. Second mortgage from Richard W. Bell and wife, Pamela S. Bell, and William E. Swatek and wife, Lana D. Swatek, to The Bank of Pelham, dated October 2, 1973, and recorded in Mortgage Book 334, Page 644-647, securing payment of \$39,265.20, which said mortgage the grantees herein assume and agree to pay, together with the note secured thereby, in accordance with the terms and conditions of said note and mortgage.



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