177

19790803000099400 1/4 $.00
Shelby Cnty Judge of Probate,AL
08/03/1979 12:00:00AM FILED/CERT

This instrument was prepared by:

Walter Cornelius, Attorney at Law, 414 Woodward Building, Birmingham, Alabama 35203

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 the sum of Thirty Thousand Eight Hundred Dollars ($30,800.00) cash in hand paid to the undersigned Eugenia C. Clemore and husband, Lynn A. Clemore, by the GRANTEES herein, the receipt whereof is acknowledged, we, the said Eugenia C. Clemore and husband, Lynn A. Clemore, and Walter Cornelius and wife, Lenora B. Cornelius, do hereby grant, bargain, sell and convey unto Benjamin C .Garmon and Kendall Montgomery (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:

Commence at the NE corner of the NE 1/4 of the SW 1/4 of Sec. 16, T-19-S, R-1-W, thence run South, along the East line of said 1/4-1/4 Sec., a distance of 245.50 ft., thence turn an angle of 106 deg. 06 min. 09 sec., to the right and run a distance of 72.37 ft., thence turn an angle of 44 deg. 25 min. to the left and run a distance of 102.41 ft., thence turn an angle of 40 deg. 12 min. to the left and run a distance of 158.80 ft., thence turn an angle of 35 deg. 09 min. to the right and run a distance of 362.77 ft., thence turn an angle of 12 deg. 35 min. to the left and run a distance of 12.00 ft., to the point of beginning, thence continue in same direction, a distance of 122.45 ft., thence turn an angle of 21 deg. 30 min. to the right and run a distance of 129.30 ft., thence turn an angle of 18 deg. 57 min. 30 sec., to the left and run a distance of 37.31 ft., thence turn an angle of 123 deg. 57 min. 41 sec., to the right and run a distance of 140.60ft., thence turn an angle of 40 deg. 08 min. 02 sec., to the right and run a distance of 50.58 ft., thence turn an angle of 16 deg. 57 min. 57 sec., to the right and run a distance of 144.55 ft., thence turn an angle of 85 deg. 23 min. 03 sec., to the right and run a distance of 164.69 ft., to the point of beginning. Situated in the NE 1/4 of the SW 1/4 of Sec.16, T-19-S, R-1-W, Shelby County, Alabama, and containing 0.85 acres.

Minerals and mining rights excepted.

Subject to all easements of record and to current year ad valorem taxes, which the Grantees assume and promise and agree to pay.

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KENNETH D. WALLIS
ATTORNEY AT LAW
SUITE 107 COLONIAL CENTER
1009 MONTGOMERY HIGHWAY SOUTH
VESTAVIA HILLS, ALABAMA 35216

1. All property owners abutting upon the above described easement shall be responsible on an equal basis for the repair and maintenance thereof in a reasonably safe and good condition for purposes of ingress and egress.

2. Should the dwelling house presently located upon the above described realty be destroyed by any cause or means whatsoever, or be torn down or removed, any house rebuilt thereon must have plans approved by Walter Cornelius and/or Eugenia C. Clemore and Lynn A. Clemore.

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Walter Cornelius and wife, Lenora B. Cornelius, named herein as grantors, join in this conveyance merely to convey the herein-above described easement, and in recognition of the foregoing covenants running with the land, the title to the above described parcel containing 0.85 acres being vested entirely in the said Eugenia C. Clemore, grantor herein.

This conveyance includes the window air-conditioning unit, electric stove, and all draperies currently in the dwelling house on the above described parcel of land.

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 we do for ourselves and for our heirs, executors and administrators covenant with the said GRANTEES, their heirs and assigns, that we are lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that we have good right to sell and convey the same as aforesaid; that we will and our heirs, executor 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 hands and seals this the 2nd day of August, 1979.

WITNESS:

George M. McCall Jr. Lynn A. Clemore (L.S.)

George M. McCall Jr. Eugenia C. Clemore (L.S.)

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In c____deration of the sum of) to each of the unders l grantors paid,

Also merely as a means of ingress and egress to the above realty the following easement for a driveway which shall run with the land:

> Commence at the Southwest corner of the NE1/4 of the SW 1/4, Sec, 16, T-19-S, R-1-W, thence run East along the South line of said 1/4 1/4 Section a distance of 476.98 feet; thence turn an angle of 88 deg. 44 min. 33 sec. to the left and run a distance of 403.96 feet to the point of beginning; thence continue in the same direction a distance of 25.17 feet; thence turn an angle of 96 deg. 44 min. 39 sec. to the left and run a distanceof 161.58 feet; thence turn an angle of 19 deg. 51 min. 52 sec. to the right and run a distance of 224.27 feet; thence turn an angle of 17 deg. 00 min. 30 sec. to the right and run a distance of 112.97 feet to the Southeast right of way of Shebly County Hwy. No. 41; thence turn an angle of 71 deg. 00 min. to the left and run along said Hwy. R/W a distance of 26.44 feet; thence turn an angle of 109 deg. 00 min. to the left and run a distance of 125.32 feet; thence turn an angle of 17 deg. 00 min. 30 sec. to the left and run a distance of 232.39 feet; thence turn an angle of 19 deg. 51 min. 52 sec. to the left and run a distance of 163.00 feet to the point of beginning. Situated in the N 1/2 of the SW 1/4, Sec. 16, T-19-S, R-1-W.

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And also the following easement, which together the foregoing description shall constitute one continuous easement for the purpose above stated:

> Commence at the Southwest corner of the NE1/4 of the SW 1/4, Sec. 16, T-19-S, R-1-W, thence run East along the South line of said 1/4 1/4 Section a distance of 476.98 feet; thence turn an angle of 88 deg. 44 min. 33 sec. to the left and run a distance of 403.96 feet to the point of beginning; thence continue in the same direction a distance of 25.17 feet; thence turn an angle 41 deg. 47 min. 46 sec. to the right and run a distance of 125.07 feet; thence turn an angle of 3 deg. 29 min. 11 sec. to the right and run a distance of 37.31 feet; thence turn an angle of 18 deg. 57 min. 30 sec. to the right and run a distance of 129.30 feet; thence turn an angle of 21 deg. 30 min. 00 sec. to the left and run a distance of 122.45 feet; thence turn an angle of 90 deg. 00 min. 00 sec. to the right and run a distance of 25.00 feet; thence turn an angle of 90 deg. 00 min. 00 sec. to the right and run a distance of 127.42 feet; thence turn an angle of 21 deg. 30 min. 00 sec. to the right and run a distance of 130.10 feet; thence turn an angle of 18 deg. 57 min. 30 sec. to the left and run a distance of 31.62 feet; thence turn an angle of 3 deg. 29 min. 11 sec. to the left and run a distance of 133.01 feet; thence turn an angle of 38 deg. 50 min. 11 sec. to the right and run a distance of 13.22 feet to the point of beginning. Situated in the SW 1/4, S-16, T-19-S, R-1-W, Shelby County.

This conveyance is made expressly subject to the following covenants, which shall run with the land and bind the parties hereto and their heirs and assigns forever as to the use of the above described realty:

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Geraldine A. Burton (L.S.)

Geraldine A. Burton (L.S.)

STATE OF ALABAMA)

COUNTY OF SHELBY)

GENERAL ACKNOWLEDGMENT

I, Georgia M. McCoy, Notary Public in and for said County, in said State, hereby certify that Eugenia C. Clemore and husband, Lynn A. Clemore, whose names are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day, that, being informed to 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 2nd day of August, 1979.

Georgia M. McCoy
NOTARY PUBLIC
My Commission Expires

My Commission Expires: _____

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STATE OF ALABAMA)

COUNTY OF SHELBY)

GENERAL ACKNOWLEDGMENT

I, Geraldine A. Burton, Notary Public in and for said County, in said State, hereby certify that Walter Cornelius and wife, Lenora B. Cornelius, 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 3rd day of August, 1979.

Geraldine A. Burton
NOTARY PUBLIC
See my 321-620

My Commission Expires: 10-23-82

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
1979 AUG -3 PM 12: 20
JUDGE OF PROBATE

deed tax 1.50
rec. 7.00
cnd 1.00
9.50

$29.750.00 of the purchase price recited above was paid from a mortgage loan closed simultaneously herewith.