19791120000151530 1/2 $.00
Shelby Cnty Judge of Probate, AL
11/20/1979 12:00:00AM FILED/CERT

31,405.00

USDA-FmHA
Form FmHA-AL-427-4
(9-14-72)

Position 5

727

This Instrument was Prepared by
Wallace, Ellis, Head & Fowler
Attorneys at Law
Columbiana, Alabama 35051

WARRANTY DEED

(For Transfer Cases) - Joint Tenants With Right of Survivorship

STATE OF ALABAMA }
COUNTY OF }

THIS INDENTURE, made this 20th day of November, 19 79, between

Micah J. Burks and wife, Lois W. Burks

of Shelby County, State of Alabama, party(ies) of the first part, and

Kenny R. Gaut and wife, Wanda G. Gaut

of Shelby County, State of Alabama, parties of the second part;

WITNESSETH: That the said party(ies) of the first part, for and in consideration of the sum of One Dollar ($1.00) to them in hand paid by the said parties of the second part, and for other good and valuable considerations, the receipt whereof is hereby acknowledged, has (have) granted, bargained, sold and conveyed and by these presents does (do) grant, bargain, sell and convey unto the said parties of the second part, as joint tenants with the right of survivorship, the following described land, lying and being in the County of Shelby, State of Alabama, to-wit:

BOOK 323 PAGE 455

A lot in the SE¼ of the SW¼ of Section 10, Township 21 South, Range 1 East, Huntsville Meridian, described as follows: Commence at the SW corner of Section 10, Township 21 South, Range 1 East; thence run North 66 deg. 44 min. East, a distance of 1728.63 feet to a point on the North right of way line of a paved County Highway, and the point of beginning; thence turn an angle of 14 deg. 17 min. 13 sec. to the left and run along said right of way line, a cord distance of 210.00 feet; thence turn an angle of 90 deg. 00 min. to the left and run a distance of 210.00 feet; thence turn an angle of 90 deg. 00 min. to the left and run a distance of 210.00 feet; thence turn an angle of 90 deg. 00 min. to the left and run a distance of 210.00 feet to the point of beginning. Situated in the SE¼ of the SW¼ of Section 10, Township 21 South, Range 1 East, Shelby County, Alabama.
Subject to transmission line permits to Alabama Power Company recorded in Deed Book 121, page 37; Deed Book 131, page 508; Deed Book 236, page 166, Office of Judge of Probate of Shelby County, Alabama, and subject to public road right of way heretofore conveyed to Shelby County, as shown by instrument recorded in Deed Book 224 at page 801 in said Probate Office.

The above-described land is subject to the following described mortgage(s):

1. That certain mortgage to the United States of America executed by Micah J. Burks and wife, Lois W. Burks dated the 27th day of June, 19 78, and recorded in Mortgage Book 379, at Page 732-735, in the Office of the Judge of Probate of Shelby County, Alabama:

Kenny R. Gaut
241 Dr 683
Alabaster, Ala. 35186

1979112000151530 2/2 $.00
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and the said parties of the second part, by separate agreement executed as of the date hereof, assume liability for and agree to pay, as part of the consideration of this conveyance, all or a certain specified portion of the indebtedness secured by said mortgage(s).

TO HAVE AND TO HOLD to said parties of the second part, 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 the said party(ies) of the first part does (do) for themselves and for their heirs, executors, administrators and assigns covenant with the parties of the second part and with the heirs, executors, administrators and assigns of said parties and of the survivor of them that they is (are) lawfully seized in fee simple of said premises; that the premises are free from all encumbrances except as hereinbefore set forth; that they has (have) a good right to sell and convey the same as aforesaid; that they will, and their heirs, executors, administrators and assigns shall warrant and defend the same to the said parties of the second part and to the heirs, executors, administrators and assigns of said parties and of the survivor of them forever, against the lawful claims and demands of all persons.

IN WITNESS WHEREOF, the said party(ies) of the first part has (have) hereunto set their hand(s) and seal(s), the day and year first above written.

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED

1979 NOV 20 PM 3:16

Micah J. Burks (LS)

Lois W. Burks (LS)

Deed 31.50
Rec. 3.00
Ind. 1.00
35.50

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STATE OF ALABAMA

COUNTY OF SHELBY

JUDGE OF PROBATE

I, the undersigned, a Notary Public in and for said County and State, do hereby certify that Micah J. Burks and wife, Lois W. Burks whose name(s) is (are) signed to the foregoing conveyance and who is (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 seal this 20th day of November, 19 79.

Mary D. Thompson
Notary Public

(SEAL)

My Commission Expires January 12, 1982

MARY D. THOMPSON NOTARY PUBLIC ALABAMA STATE AT LARGE