

THIS INSTRUMENT PREPARED BY:

Send Tax Notice To:

EMMETT DAVID BATES, III

NAME: ROBERT C. BARNETT, Attorney at Law
1600 City Federal Building
ADDRESS: Birmingham, AL 35203

P. O. Box 3352A

Birmingham, AL 35255

781

WARRANTY DEED (Without Survivorship)

Alabama Title Co., Inc.

BIRMINGHAM, ALA.

STATE OF ALABAMA
SHELBY COUNTY

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of Four Thousand (\$4,000.00) DOLLARS and the assumption of the herein described mortgage with a remaining balance of \$12,034.13,

to the undersigned grantor (whether one or more), in hand paid by the grantee herein, the receipt whereof is acknowledged, I or we, JERRY J. COLBURN and wife, CONNIE COLBURN

(herein referred to as grantor, whether one or more), grant, bargain, sell and convey unto EMMETT DAVID BATES, III

(herein referred to as grantee, whether one or more), the following described real estate, situated in SHELBY County, Alabama, to-wit:

A parcel of land containing 1/2 acre located in the East 1/2 of the NE 1/4 of Section 23, Township 18 South, Range 1 East, Shelby County, Alabama, described as follows: Commence at the intersection of the Northerly boundary of Old Montevallo Road and the Southwesterly boundary of Vandiver-Sterrett paved road and run in a Northwesterly direction with said paved road 1055 feet to the point of beginning; thence run North 78 degrees West with said paved road boundary 198 feet; thence run South 12 degrees West 110 feet; thence run South 78 degrees East 198 feet; thence run North 12 degrees East 110 feet to the point of beginning.

- SUBJECT TO: (1) Taxes due in the current year.
- (2) Restrictions as set forth in Deed Book 285, page 537.
- (3) Easement for underground water line as set forth by instrument recorded in Book 319, page 357.
- (4) Right of way in favor of Shelby County, Alabama, as set forth in Lis Pendens Book 4, page 41.

Grantee herein hereby agrees to assume and pay the balance of that certain mortgage from Charles W. Smith and Debbie Smith to Jim Walter Homes, Inc., recorded in Mortgage Book 344, page 617 in the Probate Office of Shelby County, Alabama.

TO HAVE AND TO HOLD to the said grantee, his, her or their heirs and assigns forever.

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 hands(s) and seal(s), this 15th day of MAY, 1982.

Deed TAX 4.00
Rec 1.50
Jud 1.00
6.00
STATE OF ALA. SHELBY COUNTY
I CERTIFY THIS INSTRUMENT WAS FILED
1982 MAY 24 AM 10:33

Jerry J. Colburn (Seal)
JERRY J. COLBURN (Seal)

Connie Colburn (Seal)
CONNIE COLBURN

Thomas A. Shanks, Jr.
JUDGE OF PROBATE

STATE OF ALABAMA
MONTGOMERY COUNTY

General Acknowledgment

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Jerry J. Colburn and wife, Connie Colburn 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 15th day of MAY, 1982.

Notary Public

BOOK 339 PAGE 912