

1165

SEND TAX NOTICE TO:

(Name) Mr. and Mrs. Thomas W. Bearden  
Route 1, Box 2054  
(Address) Shelby, Alabama 35143

This instrument was prepared by

(Name) Wade H. Morton, Jr., Attorney at Law

(Address) Post Office Box 1227, Columbiana, Alabama 35051-1227

Form 1-1-5 Rev. 5/82

WARRANTY DEED, JOINT TENANTS WITH RIGHT OF SURVIVORSHIP - LAWYERS TITLE INSURANCE CORPORATION, Birmingham, Alabama

STATE OF ALABAMA

SHELBY COUNTY

KNOW ALL MEN BY THESE PRESENTS,

That in consideration of FIFTY THOUSAND and No/100 ----- (\$50,000.00) DOLLARS

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

GILES E. PATE and wife, TOMMIE PATE,

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

THOMAS WAYNE BEARDEN and wife, NELDA RAY BEARDEN,

(herein referred to as GRANTEES) as joint tenants, with right of survivorship, the following described real estate situated in

Shelby

County, Alabama to-wit:

See attached Schedule "A" for legal description of real property conveyed by this deed.

Subject only to the following liens, encumbrances, limitations and restrictions:

1. Taxes for 1988, which became a lien on October 1, 1987, but are not due and payable until October 1, 1988 and payment thereof shall be the Grantees' sole responsibility.

2. Rights claimed by the Alabama Power Company under the conveyance for raising the water level of Lay Dam and Reservoir to 397.00 foot ground elevation countour above mean sea level, as shown by instrument recorded in Deed Book 238, at Page 515, in the Office of the Judge of Probate of Shelby County, Alabama.

3. Rights claimed by the Alabama Power Company under the transmission line permit recorded in Deed Book 216, at Page 677, in said Probate Records.

\$40,000.00 of the consideration for this deed is paid by the proceeds of a loan from First National Bank of Columbiana to Grantees, which is secured by a purchase money mortgage of even date from Grantees to First National Bank of Columbiana executed and delivered simultaneously herewith.

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, 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. There is no warranty or representation as to the condition or quality or quantity of this real property or of any improvement thereof.

IN WITNESS WHEREOF, we have hereunto set our hand(s) and seal(s), this 15th

day of January, 19 88

WITNESS:

\_\_\_\_\_  
(Seal)

\_\_\_\_\_  
(Seal)

\_\_\_\_\_  
(Seal)

Giles E. Pate (Seal)  
Giles E. Pate

Tommie Pate (Seal)  
Tommie Pate

STATE OF ALABAMA

SHELBY COUNTY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Giles E. Pate and wife, Tommie Pate, 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 January, A. D., 19 88

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EXHIBIT "A"

LEGAL DESCRIPTION OF REAL PROPERTY

Commence at the Northeast corner of SE 1/4 of the NE 1/4 of Section 11, Township 24 North, Range 15 East, Shelby County, Alabama, and run South along the Section line for a distance of 473.6 feet; thence turn a deflection angle of 41 degrees 15 minutes right and run a distance of 210.0 feet; thence turn a deflection angle of 3 degrees 00 minutes right and run a distance of 150.0 feet; thence turn a deflection angle of 20 degrees 26 minutes right and run a distance of 100.0 feet; thence turn a deflection angle of 16 degrees 33 minutes right and run a distance of 100.0 feet to the point of beginning; thence turn a deflection angle of 86 degrees 42 minutes left and run a distance of 273.3 feet; thence run along the Alabama Power Company water line in a Northeasterly direction for a distance of 160.0 feet; thence run in a Northwesterly direction for a distance of 240.7 feet to a point, said point being located 100.0 feet East of the point of beginning; thence run in a Southwesterly direction a distance of 100.0 feet, to the point of beginning.

SIGNED FOR IDENTIFICATION:

Giles E. Pate  
Giles E. Pate

Tommie Pate  
Tommie Pate

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

88 JAN 18 PM 3:38

Thomas A. Snowden, Jr.  
JUDGE OF PROBATE

1. Deed Tax	\$ 10.00
2. Mtg. Tax	_____
3. Recording Fee	8.00
4. Indexing Fee	1.00
TOTAL	16.00