

This instrument was prepared by

(Name) William E. Swatek

(Address) P.O. Box 1801 Alabaster, Al.



**Cahaba Title, Inc.**

Highway 31 South at Valleydale Rd., P.O. Box 689  
Pelham, Alabama 35124  
Phone (205) 988-8600  
Policy Issuing Agent for  
SAFECO Title Insurance Company

WARRANTY DEED, JOINTLY FOR LIFE WITH REMAINDER TO SURVIVOR

STATE OF ALABAMA

Shelby COUNTY

KNOW ALL MEN BY THESE PRESENTS,

That in consideration of Ten Dollars (\$10.00) DOLLARS

to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt whereof is acknowledged, we, James C. Viars, a married man, William Thomas Viars, a single man, Myrtle Lee Brasher (herein referred to as grantors) do grant, bargain, sell and convey unto

✓ William Thomas Viars, a single man  
(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:

See attached hereto Exhibit "A"

Subject to existing easements, restrictions, set-back lines, rights of way limitations if any, of record.

It is specifically agreed that a Life Estate is reserved to Myrtle B. Viars, and therefore, this deed is subject to said life estate. Upon the death of Myrtle B. Viars, title shall vest in William Thomas Viars.

BOOK 313 PAGE 103

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 day of October, 1990

WITNESS:

William Thomas Viars (Seal)  
William Thomas Viars

Myrtle Lee Brasher (Seal)  
Myrtle Lee Brasher

James C. Viars (Seal)  
James C. Viars

Myrtle B. Viars (Seal)  
Myrtle B. Viars

STATE OF ALABAMA

Shelby COUNTY

General Acknowledgment

I, Gatay S. Gark a Notary Public in and for said County, in said State, hereby certify that William Thomas Viars, Myrtle Lee Brasher, Myrtle B. Viars whose name signed to the foregoing conveyance, and who known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 3 day of October

A. D., 1990

STATE OF ALABAMA )

SHELBY COUNTY )

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that James C. Viars, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of this conveyance, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this 3rd day of October, 1990.

Marsden Stanton  
NOTARY PUBLIC

12-28-93  
My Commission expires:

BOOK 313 PAGE 104

# EXHIBIT "A"

Commence at the Northeast corner of Section 23, Township 20 South, Range 4 West, Shelby County, Alabama and run thence easterly along the North line of Section 24 a distance of 969.58 feet to a point. Thence turn a deflection angle of 78 deg. 58' 31" to the right and run southerly a distance of 722.85 feet to a point. Thence turn a deflection angle of 89 deg. 19' 8" right and run westerly into Section 23 a distance of 1,211.77 feet to a point on the west right-of-way line of Highway North 52 and the point of beginning of the property being described. Thence turn a deflection angle of 19 degrees 45' 02" to the right and run westerly along an existing fence line a distance of 172.71 feet to a point. Thence turn a deflection angle of 93 deg. 5' 03" to the right and run northerly a distance of 100.0 feet to a point. Thence turn a deflection angle of 86 degrees 54' 57" right and run easterly a distance of 134.11 feet to a point on the westerly right of way line of said highway no. 52. Thence turn a reflection angle of 71 deg. 35' 32" right to cord and run along the arc of a curve to the left (having a central angle of 18 deg. 38' 0" and a radius of 325.0 feet). An arc distance of 105.69 feet to the point of beginning containing 0.35 of an acre.

There is an additional parcel of land that is fenced and has been in the continuous possession of the owner for a period of time exceeding ten (10) years. It is my opinion that the original deed intended to convey this parcel with the just described parcel as a single piece of property but deed was drafted without survey or knowledge of the rights of way of Highway No. 52 or the L&N Railroad right-of-way. The following description incorporates this undescribed portion of land into the previously described parcel of land to comprise a single parcel, however, Survconn engineers and surveyors and Joseph E. Conn, Jr., as surveyor do not warrant or certify to the actual ownership of this second additional parcel of land.

Commence at the NE corner of Section 23, Township 20 South, Range 3 West, Shelby County, Alabama and run thence easterly along the North line of Section 24 a distance of 969.58 feet to a point. Thence turn a reflection angle of 78 degrees 58' 31" to the right and run southerly a distance of 722.85 feet to a point. Thence turn a reflection angle of 89 deg. 19' 08" right and run westerly into Section 23 a distance of 1,211.77 feet to a point on the west right of way line of Highway No. 52 and the point of beginning of the property being described. Thence turn a deflection angle of 19 deg. 45' 02" to the right and run westerly along an existing fence line a distance of 230.51 feet to a point at an existing fence corner. Thence turn a deflection angle of 89 deg. 57' right and run northerly along a fence line a distance of 100.0 feet to an existing fence corner. Thence turn a deflection angle of 89 deg. 48' to the right and run easterly along an existing fence line a distance of 63.81 feet to a point. Thence turn a deflection angle of 93 deg. 20' 03" left and run northerly a distance of 0.07 feet to an existing steel pin corner. Thence turn a deflection angle of 86 deg. 54' 57" right and run easterly a distance of 134.11 feet to a point on the westerly right-of-way line of Highway No. 52. Thence turn a deflection angle of 71 deg. 35' 32" right to cord and run along the arc of a curve to the left (having a central angle of 18 deg. 38' 0" and a radius of 325.0 feet) an arc distance of 106.69 feet to the point of beginning, containing 0.49 of an acre.

BOOK 313 PAGE 105

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

90 OCT -4 AM 11:51

JUDGE OF PROBATE

1	50
2	50
3	4.00
4	1.00
5	13.00