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This instrument was prepared by:
Claude McCain Moncus, Esq.
Corley, Moncus & Ward, P.C.
2100 SouthBridge Parkway
Suite 650
Birmingham, Alabama 35205

Send Tax Notice To:
~~Toby Moncus Jones~~
~~302-Deven Circle~~
~~Huntsville, AL-35802~~
Claude McCain Moncus
2100 SouthBridge Parkway
Suite 650
Birmingham, AL 35205

Inst # 1993-13291

05/10/1993-13291
03:27 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
111.50

STATUTORY WARRANTY DEED
AND
CORRECTIVE DEED

STATE OF ALABAMA)
JEFFERSON COUNTY) **KNOW ALL MEN BY THESE PRESENTS,**

WHEREAS, Moncus Properties, an Alabama General Partnership, hereinafter referred to as "Moncus Properties", was the owner of certain real property located in Shelby County, Alabama, more particularly described in Exhibit "A" attached hereto and made a part hereof; and

WHEREAS, on March 6, 1992, an Agreement of Dissolution of Partnership and Deed of Distribution was executed by James R. Moncus, Jr. and Claude McCain Moncus, as partners of Moncus Properties, based on the last Amendment to Partnership Agreement dated February 5, 1985, which amendment increased the percentage owned by Claude McCain Moncus from 35% to 50%, and increased the percentage owned by James R. Moncus, Jr. from 35% to 50%; and

WHEREAS, prior to March 6, 1992, an Assignment and Conveyance of Partnership Interest and Rights in Moncus Properties ("Assignment") dated June 4, 1990, was recorded in Shelby County Probate Office in Book 361, Page 623, on September 3, 1991, which Assignment conveyed to Toby Moncus Jones the partnership interest owned by Gladys McCain Moncus in the partnership known as Moncus Properties; and

WHEREAS, Claude McCain Moncus and James R. Moncus, Jr., by this Statutory Warranty Deed and Corrective Deed, have agreed to settle the conflict that exists between the Assignment and Deed of Distribution, to settle the differences between the parties to this deed, and have each agreed to execute this Statutory Warranty Deed and Corrective Deed conveying to Toby Moncus Jones a 15% undivided interest in the property described in Exhibit "A", pursuant to the Assignment dated June 4, 1990, each retaining a 35% undivided interest in the property described in Exhibit "A".

NOW, THEREFORE, in consideration of the mutual covenants, the parties hereto agree as follows:

1. **Claude McCain Moncus, a married man, and James R. Moncus, Jr., a married man, pursuant to the Assignment dated June 4, 1990, do hereby each grant, bargain, transfer and convey to Toby Moncus Jones, an unmarried woman, a 15% undivided interest in the property described in Exhibit "A", and to have and hold to the said Toby Moncus Jones, her heirs and assigns forever.**
2. **This is a corrective transfer and supersedes any prior understandings or written or oral agreements of the parties hereto.**
3. **Said property does not nor never has constituted the homestead of Claude McCain Moncus or James R. Moncus, Jr.**
4. **Toby Moncus Jones hereby joins in execution of this Statutory Warranty Deed and Corrective Deed to acknowledge receipt of same and confirm ownership between these parties as follows:**

Claude McCain Moncus	35%
James R. Moncus, Jr.	35%
Toby Moncus Jones	30%

Bainbridge, Mims, Rogers

IN WITNESS WHEREOF, the undersigned, Claude McCain Moncus and James R. Moncus, Jr., have caused this Statutory Warranty Deed and Corrective Deed to be executed on this 21st day of April, 1993.

Claude McCain Moncus (SEAL)
CLAUDE MCCAIN MONCUS

James R. Moncus, Jr. (SEAL)
JAMES R. MONCUS, JR.

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that **Claude McCain Moncus**, 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 the conveyance, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this 21st day of April, 1993.

Henry Howard Fox
Notary Public
My Commission Expires: 7-8-95

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that **James R. Moncus, Jr.**, 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 the conveyance, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this 21st day of April, 1993.

Berice D. Hudson
Notary Public
My Commission Expires: 3/27/95

RECEIPT AND CONFIRMATION

The undersigned, **Toby Moncus Jones**, hereby acknowledges receipt of the foregoing and confirms the ownership as between these parties in paragraph 4 herein.

Toby Moncus Jones (SEAL)
TOBY MONCUS JONES

STATE OF ALABAMA)
COUNTY OF MADISON)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that **Toby Moncus Jones**, 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 the conveyance, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this 10th day of ~~April~~ ^{May}, 1993.

Paul Austin
Notary Public
My Commission Expires: 2-19-94

EXHIBIT A

Begin at a point 590 feet West of the Southeast corner of the West 1/2 of Section 28, Township 19 South, Range 2 West, thence North 2417 feet; thence 58 degrees, 44 minutes right 282.85 feet; thence 90 degrees, 00 minutes left 229.13 feet; thence 90 degrees, 00 minutes right 183.30 feet; thence 75 degrees, 47 minutes left 2524 feet; thence West 752.25 feet; thence South 87.64 feet; thence 24 degrees, 46 minutes left 2845 feet; thence 83 degrees, 30 minutes right, including only to the center line of public road 1020 feet to a fence line marking the boundary line between the McGuire and J.M.C. Johnson farms; thence 90 degrees, 46 minutes left along said fence line 509.30 feet; thence 6 degrees, 12 minutes left 151.75 feet; thence 2 degrees, 35 minutes, right 270.45 feet to an old water-gap site and Creek; thence down along and including the meanders of said Creek to the center line thereof, 1554 feet, more or less, to its intersection with the South boundary line of Section 28, Township 19 South, Range 2 West; thence East along said boundary line 860 feet, more or less, to point of beginning.

Except highway right of way; except lot sold to Bruce Bailey as shown by deed recorded in Deed Book 169, Page 391, and also except lot sold to Hubert K. Joiner and Dorothy Christine Joiner as shown by deed recorded in Deed Book 176, Page 192, situated in Shelby County, Alabama, and also except that portion of said property heretofore sold to Steve Russo and wife, Julia Early Russo and which tract is particularly described in a mortgage recorded in Volume 267 Page 123, in the Probate Office of Shelby County, Alabama, and also except a lot sold to Madison C. Richards on or about December 31, 1963, and recorded in the Probate Office of Shelby County, Alabama.

The foregoing property is also described as follows:

A PARCEL OF LAND SITUATED IN THE NORTHWEST 1/4 OF SECTION 28, TOWNSHIP 19 SOUTH, RANGE 2 WEST, SHELBY COUNTY, ALABAMA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEAST CORNER OF THE N.W. 1/4 OF THE N.W. 1/4 OF SAID SECTION 28, TOWNSHIP 19 SOUTH, RANGE 2 WEST, SAID CORNER BEING 3" CAPPED IRON; THENCE RUN WESTERLY ALONG THE NORTH LINE OF SAID 1/4 1/4 SECTION LINE FOR 483.07 FEET TO A 3/4" CRIMP IRON; THENCE 92°-03'-18" LEFT AND RUN SOUTHERLY FOR 88.00 FEET TO AN OLD AXLE HUB CORNER, SAID AXLE HUB CORNER BEING THE MOST NORTHERLY CORNER OF INDIAN HIGHLANDS ESTATES, AS RECORDED IN MAP BOOK 13, PAGE 69, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA; THENCE 25°-34'-13" LEFT AND RUN SOUTHEASTERLY ALONG THE EAST LINE OF SAID INDIAN HIGHLANDS ESTATES FOR 2,214.76 FEET, MEASURE, 2,214.54 FEET RECORD, TO A REBAR IRON AT THE SOUTHEASTERLY CORNER OF LOTS 19 AND 20 OF SAID INDIAN HIGHLANDS ESTATES; THENCE CONTINUE SOUTHEASTERLY ALONG THE LAST STATED COURSE FOR 595.38 FEET TO A 1/2" REBAR WITH A JOSEPH A. MILLER, JR. CAP, ALA. REG. NO. 2875, SAID REBAR BEING ON THE NORTH RIGHT OF WAY LINE OF ALABAMA HIGHWAY 119; THENCE 97°-03'-09" LEFT AND RUN NORTHEASTERLY ALONG SAID RIGHT OF WAY LINE FOR 371.29 FEET TO A 1/2" REBAR SAID REBAR BEING 376.45 FEET (AS MEASURED ALONG SAID RIGHT OF WAY LINE) SOUTHWEST OF THE INTERSECTION OF SAID NORTH RIGHT OF WAY LINE OF ALABAMA HIGHWAY 119 AND THE EAST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 28; THENCE 75°-19'-20" LEFT AND RUN NORTHWESTERLY ALONG THE WEST LINE OF A SURVEY DATED JUNE 26, 1981, BY DONALD L. HADDEN, REG. NO. 9681, AND ALONG THE EAST LINE OF SAID PROPERTY BEING DESCRIBED FOR 2,517.01 FEET MEASURE, 2,516.19 FEET RECORD, TO A 1/2" REBAR IRON ON THE NORTH LINE OF SAID N.W. 1/4 OF SECTION 28; THENCE 70°-04'-59" MEASURED, 70°-04'-30" RECORD, LEFT AND RUN WESTERLY ALONG SAID SECTION LINE FOR 271.03 FEET TO THE POINT OF BEGINNING.

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