

This Instrument Prepared By:
James F. Burford, III
Attorney at Law
Suite 200-A, 100 Vestavia Office Park
Birmingham, Alabama 35216

Send Tax Notice To:

WARRANTY DEED, JOINTLY FOR LIFE WITH REMAINDER TO SURVIVORS

STATE OF ALABAMA)

SHELBY COUNTY)

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of Two Hundred Sixty-One Thousand One Hundred Fifty and No/100 Dollars (\$261,150.00), to the undersigned Grantor or Grantors, in hand paid by the Grantees herein, the receipt whereof is acknowledged, we, APPLGATE REALTY, INC. (herein referred to as Grantors), do grant, bargain, sell and convey unto MICHAEL D. WESSON and KATHLEEN R. WESSON (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 EXHIBIT "A" FOR LEGAL DESCRIPTION

SUBJECT TO: (1) Taxes due in the year 1995 and thereafter; (2) Easements, restrictions and rights-of-way of record; (3) Rights of riparian owners in and to the use of Peavine Creek.

Grantees acknowledge that a water easement is required over the property conveyed herein in favor of the City of Pelham, Alabama. Said easement is to be 30 feet in width, enters the property on the west property line and continues across the property in an easterly direction. As further consideration for this deed, Grantees agree to execute such water easement when presented to Grantees for execution.

\$221,977.50 of the consideration recited herein was derived from a mortgage loan closed simultaneously with the delivery of this deed.

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 we do for ourselves and for our heirs, executors and administrators, covenant with said Grantee, their successors and assigns, that we are lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise stated above; that we have a good right to sell and convey the same as aforesaid; that we will, and our heirs, executors and administrators shall warrant and defend the same to the said Grantee, their successors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the undersigned, APPLGATE REALTY, INC., has hereunto set its hand and seal, this the 28 day of April, 1995.

APPLGATE REALTY, INC.

By:

Randall H. Goggans
Randall H. Goggans

Its: President

Inst # 1995-11492

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05/03/1995-11492
10:29 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 SNA 53.00

Inst # 1995-11492

STATE OF ALABAMA)

COUNTY OF JEFFERSON)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that RANDALL H. GOGGANS, whose name as President of APPLGATE REALTY, INC., a corporation, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation on the day the same bears date.

Given under my hand and seal this 26 day of April, 1995.



Notary Public
My Commission Expires: 3-1-98

EXHIBIT "A"

A parcel of land situated in the North 1/2 of Section 18, Township 20, South, Range 2 West, in Shelby County, Alabama, and being all of that part of the North 1/2 of the North 1/2 of the SE 1/4 of the NW 1/4, lying East of Shelby County Highway No. 35 except the East 70 feet, all of the South half of the NW 1/4 of the NE 1/4, and a part of the South half of the NE 1/4 of the NW 1/4, Section 18, Township 20 South, Range 2 West and being more particularly described as follows:

Begin at the SE corner of the NW 1/4 of the NE 1/4 of Section 18, Township 20 South, Range 2 West; thence along the south line of said 1/4-1/4 section and the South line of the NE 1/4 of the NW 1/4 of said section a distance of 1384.31 feet to the northwesterly most corner of a parcel of land recorded in Real Book 362, Page 641 in the Office of the Judge of Probate, Shelby County, Alabama; thence along the Westerly boundary of said parcel South 0 degrees 17 minutes 33 seconds East a distance of 334.95 feet; thence along the northerly boundary of said parcel and the northerly boundary of a parcel of land recorded in Deed Book 277, Page 273 in the office of the Judge of Probate, Shelby County, Alabama, South 89 degrees 37 minutes 20 seconds West a distance of 547.20 feet to the northeasterly most corner of a parcel of land recorded in Deed Book 262, Page 923 in the Office of the Judge of Probate of Shelby County, Alabama; thence along the northerly boundary of said parcel South 89 degrees 17 minutes 43 seconds West a distance of 360.71 feet to the southeasterly right-of-way line of Shelby county Highway No. 35 (Fungo Hollow Road - 80 foot right-of-way); thence along said right-of-way North 12 degrees 26 minutes 17 second East a distance of 16.02 feet to a point on a curve to the right Having a radius of 2895.60 feet and a central angle of 6 degrees 33 minutes 14 seconds; thence along said right-of-way and the arc of said curve a distance of 331.22 feet, said arc subtended by chord which bears North 15 degrees 42 minutes 54 seconds East a distance of 331.04 feet, to the end of said curve; thence along said right-of-way North 18 degrees 59 minutes 31 seconds East a distance of 142.75 feet to the southwesterly corner of a parcel of land recorded in Deed Book 293, Page 446 in the Office of the Judge of Probate, Shelby County, Alabama; thence along the southwesterly boundary of said parcel South 84 degrees 59 minutes 30 seconds East a distance of 216.63 feet; thence along the southwesterly boundary of said parcel and the southeasterly boundaries of three parcels of land recorded in Deed Book 337, Page 638, Deed Book 334, Page 21, and Real Book 341, Page 921 in the Office of the Judge of Probate, Shelby County, Alabama, North 25 degrees 58 minutes 30 seconds East a distance of 423.95 feet; thence along said boundary of said parcel of land recorded in Real Book 341, Page 921, North 89 degrees 32 minutes 02 seconds West a distance of 6.79 feet;

thence along said boundary of said parcel North 36 degrees 59 minutes 26 seconds East a distance of 212.65 feet; thence leaving said boundaries and along the southerly boundary of a parcel of land recorded in Real Book 316, Page 458 in the Office of the Judge of Probate, Shelby County, Alabama, North 89 degrees 33 minutes 24 seconds East a distance of 299.87 feet; thence along the southerly boundary of a parcel of land recorded in Real Book 272, Page 117 in the Office of the Judge of Probate, Shelby County, Alabama, North 89 degrees 24 minutes 52 seconds East a distance of 513.28 feet; thence along the southerly boundary of an additional parcel of land recorded in said real book and page number, North 89 degrees 14 minutes 51 seconds East a distance of 818.58 feet to the east line on the NW 1/4 of the NE 1/4 of Section 18, Township 20 South, Range 2 West; thence along the east line of said 1/4-1/4 section South 0 degrees 18 minutes 15 seconds West a distance of 658.06 feet to the point of beginning

Minerals and mining rights excepted 03/03/1995-11492

10:29 AM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE

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53.00

Inet # 1995-11492