

This instrument was prepared by  
**Mitchell A. Spears**  
ATTORNEY AT LAW  
P.O. Box 119  
Montevallo, AL 35115-0091  
205/665-5102  
205/665-5076

Mary Wyatt Emfinger and  
Send Tax Notice to: Iris Smitherman Kish  
(Name) \_\_\_\_\_  
(Address) 9489 AL Hwy 155  
Montevallo, AL 35115

### WARRANTY DEED

STATE OF ALABAMA

SHELBY

COUNTY }

KNOW ALL MEN BY THESE PRESENTS,

That in consideration of Forty Thousand and 00/100, (\$40,000.00)-----DOLLARS

to the undersigned grantor (whether one or more), in hand paid by the grantee herein, the receipt whereof is acknowledged, I or we

Carlene Barefoot, an unmarried woman

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

Mary Wyatt Emfinger and Iris Smitherman Kish, as TENANTS IN COMMON

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

Inst \* 1995-33802

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREWITH,  
AS THOUGH FULLY SET OUT HEREIN.

Inst \* 1995-33802

11/27/1995-33802  
11:09 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 MCD 12.00

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 said grantee, his, her or 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 stated 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 grantee, his, her or their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, I (we) have hereunto set my (our) hand(s) and seal(s) this 22<sup>nd</sup> day of November, 19 95.

(Seal)

*Carlene Barefoot*

(Seal)

(Seal)

(Seal)

(Seal)

(Seal)

STATE OF ALABAMA

SHELBY

County }

General Acknowledgment

I, the undersigned authority  
in said State, hereby certify that Carlene Barefoot

a Notary Public in and for said County.

whose name(s) 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 22<sup>nd</sup> day of

November 19 95

My Commission Expires:

*9/97*  
*Tomilyn Mathews*

Notary Public

EXHIBIT "A"

The following parcel described as follows: Commence at the Southwest corner of the Southeast 1/4 of Northwest 1/4, Section 2, Township 24, Range 12 East, and run East along the South line of said 1/4-1/4 section a distance of 300 feet to the point of beginning of the lot herein described; thence run in a northerly direction parallel with the West line of said 1/4-1/4 section a distance of 170 feet to the South line of the Montevallo-Calera Highway, being Highway No. 25; thence turn right and run parallel with the South line of said 1/4-1/4 section a distance of 90 feet to the intersection of the West line of Jemison Highway with the South line of Montevallo-Calera Highway; thence turn right and run in a southerly direction along the West line of said Jemison Highway a distance of 175 feet to the South line of said 1/4-1/4 section; thence turn right and run West along said South line of said 1/4-1/4 section a distance of 95 feet to the point of beginning. Situated in Shelby County, Alabama.

Less and except that portion of subject property condemned under Case #29-112, more particularly described as follows: Commencing at the Southwest corner of the Southeast 1/4 of Northwest 1/4, Section 2, Township 24 North, Range 12 East; thence easterly along the South line of said Southeast 1/4 of Northwest 1/4 a distance of 302 feet, more or less, to the West property line; thence northerly along said West property line a distance of 158 feet, more or less, to a point that is 50 feet southwesterly of and at right angles to the center line of Project No. OLB-059-025-001 and the point of beginning of the property herein to be conveyed; thence continuing northerly along said West property line a distance of 20 feet, more or less, to the present Southwest right of way line of Alabama Highway No. 25; thence southeasterly along said present Southwest property line a distance of 81 feet, more or less, to a present right of way line connecting said present Southwest right of way line with the present West right of way line of Alabama Highway No. 155; thence southeasterly along said present connecting right of way line (which if extended would intersect said present West right of way line) a distance of 28 feet, more or less, to a point that is 50 feet southwesterly of and at right angles to the centerline of said Project; thence North 85 deg. 18' 21" West, parallel with the centerline of said Project, a distance of 97 feet, more or less, to the point of beginning.

said strip of land lying in the Southeast 1/4 of Northwest 1/4, Section 2, Township 24 North, Range 12 East.

**SUBJECT TO:**

**PURCHASE MONEY FIRST MORTGAGE EXECUTED IN FAVOR OF TOMLYN E. MATHEWS,  
EXECUTED ON EVEN DATE HEREWITHE, IN THE SUM OF \$54,000.00.**

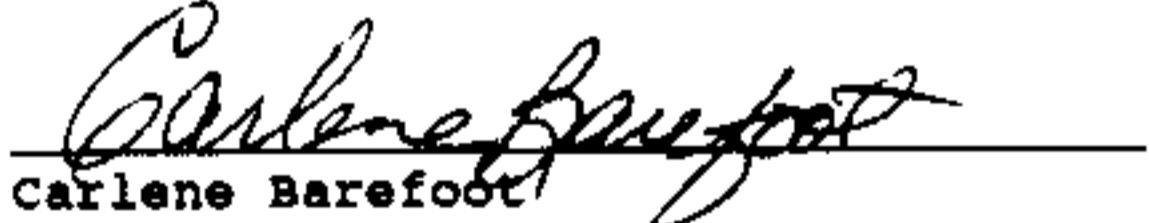
Property taxes for 1996 and subsequent years.

Mineral and mining rights are not insured.

Right-of-Way to American Telephone and Telegraph recorded in Real Volume 217, Page 48, in the Probate Office of Shelby County, Alabama.

Terms and conditions of that certain agreement recorded in Misc. Volume 34, Page 85, in the Office of the Probate Judge, Shelby County, Alabama.

Dated: 11/22/95

  
\_\_\_\_\_  
Carlene Barefoot

Inst # 1995-33802

11/27/1995-33802  
11:09 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 MCD 12.00