

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

Send Tax Notice to: Ann Birchfield Rochester

(Name)

(Address)

5937 Highway 25

Montevallo, AL 35115

MINIMUM VALUE: \$1,000.00

WARRANTY DEED

STATE OF ALABAMA

SHELBY

COUNTY

KNOW ALL MEN BY THESE PRESENTS,

That in consideration of One and 00/100, (\$1.00) and other good and valuable consideration--DOLLARS

to the undersigned grantor (whether one or more), in hand paid by the grantee herein, the receipt whereof is acknowledged, I or we, MAURINE TERRELL BIRCHFIELD, an unmarried woman, by and through her attorney-in-fact, ANN BIRCHFIELD ROCHESTER, KLARIEN D. BIRCHFIELD, an unmarried woman; WILLIAM P. BIRCHFIELD, JR., a married man; and ANN BIRCHFIELD ROCHESTER, a married woman (herein referred to as grantor, whether one or more), grant, bargain, sell and convey unto WILLIAM P. BIRCHFIELD, JR. and ANN BIRCHFIELD ROCHESTER, 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:

Beginning at a point 104.37 1/2 yards west of the center of Section 2, Township 22, Range 4 West, thence run north 281 2/3 yards parallel with the meridian line of said Section to the Montevallo-Tuscaloosa Road, now and formerly called the Montevallo-Boothton Road, thence west 48.5 yards, thence south 281 2/3 yards, thence east 48.5 yards to the point of beginning; being a portion of the SE 1/4 of the NW 1/4 of Section 2, Township 22, Range 4 West; containing 2.75 acres, more or less.

REFERENCE IS HEREBY MADE TO THE HEIRSHIP AFFIDAVIT ATTACHED HERETO AS EXHIBIT "A" AND SAME IS FULLY INCORPORATED BY REFERENCE.

REFERENCE IS HEREBY MADE TO THE DURABLE POWER OF ATTORNEY ATTACHED HERETO AS EXHIBIT "B" AND SAME IS FULLY INCORPORATED BY REFERENCE.

THE ABOVE DESIGNATED REAL ESTATE DOES NOT CONSTITUTE THE HOMESTEAD OF ANY OF THE MARRIED GRANTORS HEREIN, NEITHER IS IT CONTIGUOUS THERETO.

Inst # 1995-34917

12/06/1995-34917
11:21 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
006 HCD 24.00

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 21st day of November, 19 95

Ann Birchfield Rochester (Seal)
Maurine Terrell Birchfield,
By: Ann Birchfield Rochester, Her
Attorney-in-fact (Seal)

Ann Birchfield Rochester (Seal)
Ann Birchfield Rochester

(Seal)

William P. Birchfield, Jr. (Seal)
William P. Birchfield, Jr.

Klarion D. Birchfield (Seal)
Klarion D. Birchfield

STATE OF ALABAMA

SHELBY

County

General Acknowledgment

I, the undersigned authority Ann Birchfield Rochester a Notary Public in and for said County, in said State, hereby certify that

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 4th day of October, 19 95

5-17-99
My Commission Expires:

L. Michele A. Lamps
Notary Public

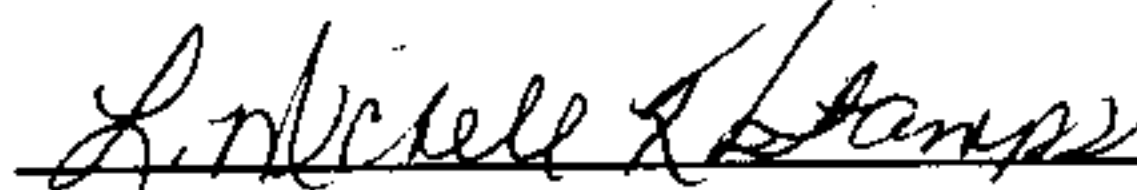
Inst # 1995-34917

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGMENT IN REPRESENTATIVE CAPACITY

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that ANN BIRCHFIELD ROCHESTER, whose name as ATTORNEY-IN-FACT FOR MAURINE TERRELL BIRCHFIELD, 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, in her capacity as such Attorney-in-Fact, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this 4th day of October, 1995.



Notary Public

My Commission Expires: 05-17-99

STATE OF ALABAMA)
COUNTY OF SHELBY)

GENERAL ACKNOWLEDGMENT

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that KLARIEN D. BIRCHFIELD, 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 4th day of October, 1995.



Notary Public

My Commission Expires: 05-17-99

STATE OF LOUISIANA)
COUNTY OF)

GENERAL ACKNOWLEDGMENT

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that WILLIAM P. BIRCHFIELD, JR., whose name 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 the instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this 21 day of November, 1995.



Notary Public

CHARLES F. GLEASON, Notary Public
Caddo Parish, Louisiana

My Commission Expires: My Commission is for Life

INSTRUMENT PREPARED BY:
MITCHELL A. SPEARS
ATTORNEY AT LAW
P.O. BOX 119
MONTEVALLO AL 35115
1-205-665-5076

STATE OF ALABAMA)
COUNTY OF SHELBY)

HEIRSHIP AFFIDAVIT
(EXHIBIT A)

Come now Klarien D. Birchfield, Ann Birchfield Rochester and Glennice Smitherman (a disinterested party), as affiants herein, and after first having been duly sworn, said affiants do hereby depose and say as follows:

1. That all affiants herein are all over the age of forty (40) years, are legally competent to make this affidavit, and have personal knowledge of the facts set forth herein.

2. On or about March 7, 1953, William Pierce Birchfield and wife, Maurine Terrell Birchfield became the record title holders of certain real estate located in Shelby County, Alabama, pursuant to deed recorded at Book 163, Page 100, in the office of the Probate Judge, Shelby County, Alabama. Said real estate is herein after described as follows:

Beginning at a point 104.37 1/2 yards west of the center of Section 2, Township 22, Range 4 West, thence run north 281 2/3 yards parallel with the meridian line of said Section to the Montevallo-Tuscaloosa Road, now and formally called the Montevallo-Boothton Road, thence west 48.5 yards, thence south 281 2/3 yards, thence east 48.5 yards to the point of beginning; being a portion of the SE 1/4 of the NW 1/4 of Section 2, Township 22, Range 4 West; containing 2.75 acres, more or less;

3. William Pierce Birchfield died intestate while residing in Shelby County, Alabama, on or about January 25, 1965. Said decedent left to survive him his wife and three children, all of whom are now over the age of nineteen years, and of sound mind. The names and addresses of the heirs at law and next of kin of the decedent are stated as follows:

Maurine Terrell Birchfield (wife)
5937 Highway 25
Montevallo, Alabama 35115

Klarien D. Birchfield (daughter)
1710 22nd Avenue, # 14
Calera, Alabama 35040

William P. Birchfield, Jr. (son)
108 Augusta Avenue
Benton, Louisiana 71006-9441

Ann Birchfield Rochester (daughter)
5937 Highway 25
Montevallo, Alabama 35115

Other than those persons mentioned above, there are no surviving heirs or next of kin of the decedent, and the decedent did not have any natural or adopted children other than those mentioned above.

4. Affiants are not aware of any debts or charges pending against the estate of the above designated decedent; neither are the affiants aware of any person or entity which claims any right, title or interest in or to the above described premises, except for those heirs at law and next of kin herein above designated.

Klarien D. Birchfield
Klarien D. Birchfield

Ann Birchfield Rochester
Ann Birchfield Rochester

Glennice Smitherman
Glennice Smitherman

STATE OF ALABAMA)
COUNTY OF Shelby)

GENERAL ACKNOWLEDGMENT

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that ANN BIRCHFIELD ROCHESTER, 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 4th day of October, 1995.

Lutichele K. Damp
Notary Public
My Commission Expires: 5-17-99

STATE OF ALABAMA)
COUNTY OF Shelby)

GENERAL ACKNOWLEDGMENT

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that KLARIEN D. BIRCHFIELD, 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 4th day of October, 1995.

Lutichele K. Damp
Notary Public
My Commission Expires: 5-17-99

STATE OF ALABAMA)
COUNTY OF Shelby)

GENERAL ACKNOWLEDGMENT

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that GLENNICE SMITHERMAN, 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 18th day of October, 1995.

Lutichele K. Damp
Notary Public
My Commission Expires: 5-17-99

EXHIBIT "B"

STATE OF ALABAMA)
COUNTY OF SHELBY)

DURABLE POWER OF ATTORNEY

I, **MAURINE TERRELL BIRCHFIELD**, hereinafter designated as "Principal", of Shelby County, Alabama, do hereby constitute and appoint, **ANN BIRCHFIELD ROCHESTER**, hereinafter designated as "Attorney in Fact", of Shelby County, Alabama, as my true and lawful Attorney in Fact in and for the State of Alabama, and all other Counties and States, including foreign countries, wherein the need may arise, for the following purposes:

To sign her name as surety to, and to execute, seal and acknowledge any and all bonds, mortgages, instruments and other documents, including the execution of deeds or other documents executed for the purpose of transferring or conveying any right, title, or interest which I may own in and to real estate located within Shelby County, Alabama, or any other County or State, within the United States of America.

I further give my Attorney in Fact the authority to do and perform all other acts and things which I myself have the power to do and perform. This instrument shall be construed as a complete and Durable Power of Attorney, and shall vest in said Attorney in Fact full power and authority to do, conduct and perform all personal and business matters of whatever nature, which I have the power and authority to do, conduct and perform for myself, without any limitations whatsoever.

The above designated Principal hereby specifically confers upon said Attorney in Fact the authority to execute any and all deeds, notes, mortgages, waivers, disclosures, assignments, assumptions, or any and all other documents for which the need may arise in order to effect a conveyance of certain real estate on behalf of me, the Principal herein, and for my benefit, to any other party or entity which she, in her sole discretion, may deem advisable and appropriate.

This Durable Power of Attorney shall not be affected by the disability, incompetency or legal incapacity of the Principal; and all acts done by said Attorney in Fact pursuant to the powers granted herein during any period of disability, incompetency or incapacity of said Principal shall have the same effect and inure the benefit of, and bind me and my successors in interest as if I were competent, not disabled and not incapacitated.

If, following execution of this Durable Power of Attorney, a Court of my domicile appoints a guardian, curator or other fiduciary charged with the management of all of my property, or any portion thereof, said Attorney in Fact shall be accountable to the said fiduciary, as well as the Principal. Said fiduciary shall have the same power to revoke or amend the Power of Attorney that I, as Principal, would have had if I were not disabled, incompetent or incapacitated.

I hereby nominate the herein named Attorney in Fact to serve as my guardian, conservator or other fiduciary in the event that any Court of competent jurisdiction has occasion to make such appointment at some future date.

Maurine Terrell Birchfield
MAURINE TERRELL BIRCHFIELD

STATE OF ALABAMA)
COUNTY OF SHELBY)

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that MAURINE TERRELL BIRCHFIELD, whose name is signed to the foregoing Durable Power of Attorney, and who is known to me, acknowledged before me on this day, that, being informed of the contents of this document, said Principal executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 23rd day of MARCH, 1994.

L. Michele L. Spears
Notary Public
My Commission Expires: 5/95

Prepared By:
MITCHELL A. SPEARS
ATTORNEY AT LAW
P. O. BOX 119
MONTEVALLO, ALABAMA 35115
(205) 665-5076

Inst # 1995-34917

12/06/1995-34917
11:21 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
006 NCD 24.00