

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was
prepared by:

BROWN-TURNER, L.L.C.
Attorneys at Law
211 22nd Street North
Birmingham, Alabama 35203

STATE OF ALABAMA)
COUNTY OF SHELBY)

SEND TAX NOTICE TO:

R. DAVID HORSLEY, JR.
509 WOODLAND DRIVE
BIRMINGHAM, ALABAMA 35201

Inst # 1996-14509

05/03/1996-14509
10:54 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
DOA MEL 98.50

WARRANTY DEED

Know All Men by These Presents: That in consideration of **SEVENTY NINE THOUSAND THREE HUNDRED and 00/100 (\$79,300.00) DOLLARS** to the undersigned grantor or grantors in hand paid by the **GRANTEES** herein, the receipt of which is acknowledged, we, **MICHELLE MCFADDEN, A MARRIED WOMAN INDIVIDUALLY, MICHELLE MCFADDEN AS EXECUTRIX OF THE ESTATE OF IVA NORA ARTHUR, DECEASED; AND MICHELLE MCFADDEN, CONSERVATOR OF THE ESTATE OF VIOLETTE LORENCE SPENCE** (herein referred to as **GRANTORS**) do grant, bargain, sell and convey unto **R. DAVID HORSLEY, JR. and ELLYN E. HORSLEY, HUSBAND AND WIFE**, (herein referred to as **GRANTEES**, whether one or more) the following described real estate, situated in **SHELBY** County, Alabama, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.

SUBJECT TO:

1. Subject to the taxes for the year beginning October 1, 1995, which constitutes a lien, but are not yet due and payable until October 1, 1996.
2. Any loss, claim, damage or expense including additional tax cue, if any, due to the fact that ad valorem taxes for subject property have been paid under a current use assessment. (See 1975 Code of Alabama Section 40-7-25.3).
3. Right(s)-of-Way(s) granted to Shelby County by instrument(s) recorded in Deed Book 207, page 22 in Probate Office.
4. Less and except any portion lying within Yellow Leaf Creek as shown on the survey by Larry W. Carver Dated August 26, 1994.

THIS PROPERTY DOES NOT CONSTITUTE THE HOMESTEAD OF THE GRANTOR NOR HER SPOUSE.

THIS DEED IS GIVEN IN ACCORDANCE WITH THE FINAL DECREE OF JUNE 20, 1994, IN CONSOLIDATED CASES CV 89-621, CV 91-454, AND CV 93-300 IN THE CIRCUIT COURT OF SHELBY COUNTY, ALABAMA.

MICHELLE MCFADDEN IS EXECUTING THIS DEED IN HER INDIVIDUAL CAPACITY IN ORDER TO SPECIFICALLY RELEASE SAID REAL PROPERTY FROM THE LIEN ON ALL REAL PROPERTY OF THE ESTATE OF IVA NORA ARTHUR FOR EXPENSES AND FEES AWARDED TO HER AS EXECUTRIX OF SAID ESTATE, AND THAT REAL PROPERTY BE, AND IS HEREBY SPECIFICALLY RELEASED FROM AND DISCHARGED FROM SAID LIEN.

\$.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

TO HAVE AND TO HOLD Unto the said **GRANTEES**, 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 the said **GRANTEES**, 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 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**, his, her, or their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said GRANTORS, MICHELLE MCFADDEN, A MARRIED WOMAN, have hereunto set his, her or their signature(s) and seal(s), this the 30th day of April, 1996.


MICHELLE MCFADDEN, INDIVIDUALLY


MICHELLE MCFADDEN, EXECUTRIX OF
THE ESTATE OF IVA NOR ARTHUR,
DECEASED


MICHELLE MCFADDEN, CONSERVATOR
OF THE ESTATE OF
VIOLETTE LORENCE SPENCE

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that MICHELLE MCFADDEN, A MARRIED WOMAN, whose name(s) is (are) signed to the foregoing conveyance, and who is (are) known to me, acknowledged before me on this day that, being informed of the contents of the conveyance he, she, or they executed the same voluntarily on the day the same bears date.

Given under my hand this the 30th day of April, 1996.


Notary Public

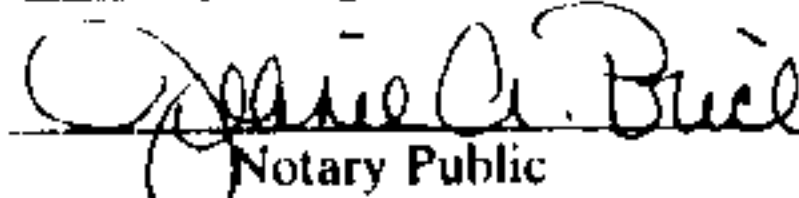
My commission expires: MY COMMISSION EXPIRES:
MAY 24, 1998

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that MICHELLE MCFADDEN, whose name as EXECUTRIX of THE ESTATE OF IVA NORA ARTHUR, deceased, 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 or she, as such officer and with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand this the 30th day of April, 1996.


Notary Public

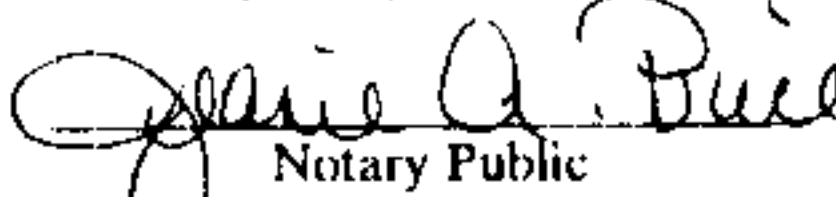
My commission expires: MY COMMISSION EXPIRES:
MAY 24, 1998

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that MICHELLE MCFADDEN, whose name as CONSERVATOR of THE ESTATE OF VIOLETTE LORENCE SPENCE, deceased, 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 or she, as such officer and with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand this the 30th day of April, 1996.


Notary Public

My commission expires: MY COMMISSION EXPIRES:
MAY 24, 1998

A tract of land located in the Northeast Quarter of Section 18 Township 20 South Range 1 East and in Section 13 Township 20 South Range 1 West Shelby County, Alabama: more particularly described as follows:

Commencing at the Northeast Corner of Section 13 Township 20 South Range 1 West: thence South 0 degrees 33 minutes 38 seconds West, a distance of 397.74 feet to the POINT OF BEGINNING: thence North 65 degrees 04 minutes 33 seconds East for a distance of 57.48 feet: thence South 49 degrees 21 minutes 56 seconds East for a distance of 500.75 feet to the Centerline of Yellowleaf Creek: thence South 3 degrees 02 minutes 39 seconds West along the center of creek a distance of 28.51 feet: thence South 53 degrees 19 minutes 35 seconds East along the center of creek a distance of 26.23 feet: thence South 84 degrees 57 minutes 47 seconds East along the center of creek a distance of 49.78 feet: thence South 49 degrees 00 minutes 40 seconds East along the center of creek a distance of 48.25 feet: thence South 2 degrees 26 minutes 08 seconds West along the center of creek a distance of 53.44 feet: thence South 34 degrees 19 minutes 53 seconds East along the center of creek a distance of 115.52 feet: thence South 0 degrees 43 minutes 42 seconds East along the center of creek a distance of 77.88 feet: thence South 4 degrees 21 minutes 08 seconds East along the center of creek a distance of 322.28 feet: thence South 4 degrees 12 minutes 34 seconds East along the center of creek a distance of 63.44 feet: thence South 54 degrees 26 minutes 29 seconds West along the center of creek a distance of 24.01 feet: thence North 83 degrees 19 minutes 41 seconds West along the center of creek a distance of 38.40 feet: thence North 29 degrees 13 minutes 50 seconds West along the center of creek a distance of 31.78 feet: thence North 15 degrees 23 minutes 16 seconds West along the center of creek a distance of 56.00 feet: thence North 36 degrees 40 minutes 28 seconds West along the center of creek a distance of 40.60 feet: thence North 78 degrees 49 minutes 25 seconds West along the center of creek a distance of 29.55 feet: thence South 56 degrees 57 minutes 49 seconds West along the center of creek a distance of 23.62 feet: thence South 42 degrees 06 minutes 41 seconds West along the center of creek a distance of 70.07 feet: thence North 83 degrees 36 minutes 40 seconds West along the center of creek a distance of 104.72 feet: thence South 84 degrees 28 minutes 00 seconds West along the center of creek a distance of 75.97 feet: thence South 37 degrees 24 minutes 30 seconds West along the center of creek a distance of 43.88 feet: thence South 30 degrees 45 minutes 42 seconds West along the center of creek a distance of 63.31 feet: thence South 14 degrees 27 minutes 12 seconds West along the center of creek a distance of 65.45 feet: thence South 0 degrees 18 minutes 06 seconds East along the center of creek a distance of 70.20 feet: thence South 15 degrees 01 minute 57 seconds East along the center of creek a distance of 141.15 feet: thence South 11 degrees 39 minutes 37 seconds East along the center of creek a distance of 103.59 feet: thence South 16 degrees 55 minutes 03 seconds West along the center of creek a distance of 32.65 feet: thence South 38 degrees 19 minutes 58 seconds West along the center of creek a distance of 34.83 feet: thence South 50 degrees 32 minutes 35 seconds West along the center of creek a distance of 23.06 feet: thence South 87 degrees 15 minutes 22 seconds West along the center of creek a distance of 188.80 feet: thence North 66 degrees 49 minutes 44 seconds West along the center of creek a distance of 33.65 feet: thence North 42 degrees 32 minutes 22 seconds West along the center of creek a distance of 25.72 feet: thence North 32 degrees 34 minutes 36 seconds West along the center of creek a distance of 34.60 feet: thence North 18 degrees 16 minutes 05 seconds West along the center of creek a distance of 59.72 feet: thence North 3 degrees 03 minutes 46 seconds West along the center of creek a distance of 100.14 feet: thence North 27 degrees 25 minutes 06 seconds East along the center of creek a distance of 125.23 feet: thence North 23 degrees 08 minutes 10 seconds West along the center of creek a distance of 57.95 feet: thence North 38 degrees 39 minutes 15 seconds West along the center of creek a distance of 39.32 feet: thence North 13 degrees 48 minutes 12 seconds West along the center of creek a distance of 80.71 feet: thence North 29 degrees 25 minutes 20 seconds West along the center of creek a distance of 55.56 feet: thence North 56 degrees 21 minutes 45 seconds West along the center of creek a distance of 49.60 feet: thence North 53 degrees 21 minutes 42 seconds West along the center of creek a distance of 140.92 feet:

thence North 79 degrees 43 minutes 25 seconds West along the center of creek a distance of 43.68 feet: thence South 52 degrees 25 minutes 15 seconds West along the center of creek a distance of 14.05 feet: thence South 42 degrees 34 minutes 04 seconds West along the center of creek a distance of 30.78 feet: thence South 6 degrees 25 minutes 20 seconds West along the center of creek a distance of 25.68 feet: thence South 7 degrees 20 minutes 45 seconds East along the center of creek a distance of 86.32 feet: thence South 20 degrees 07 minutes 32 seconds West along the center of creek a distance of 48.29 feet: thence South 87 degrees 16 minutes 54 seconds West along the center of creek a distance of 71.23 feet: thence North 66 degrees 51 minutes 56 seconds West along the center of creek a distance of 108.44 feet: thence North 71 degrees 50 minutes 03 seconds West along the center of creek a distance of 40.20 feet: thence North 89 degrees 02 minutes 12 seconds West along the center of creek a distance of 18.10 feet: thence South 62 degrees 42 minutes 10 seconds West along the center of creek a distance of 34.59 feet: thence South 17 degrees 54 minutes 41 seconds West along the center of creek a distance of 143.02 feet: thence South 60 degrees 23 minutes 40 seconds West along the center of creek a distance of 55.17 feet to the East Right of Way Line of Shelby County Road No. 49 thence North 9 degrees 19 minutes 00 seconds East along the said road right of way line for a distance of 313.93 feet: thence North 9 degrees 01 minute 37 seconds East along the said road right of way line for a distance of 107.82 feet: thence North 7 degrees 18 minutes 45 seconds East along the said road right of way line for a distance of 101.49 feet: thence North 1 degrees 28 minutes 11 seconds East along the said road right of way line for a distance of 104.15 feet: thence North 6 degrees 10 minutes 57 seconds West along the said road right of way line for a distance of 88.62 feet: thence North 14 degrees 42 minutes 11 seconds West along the said road right of way line for a distance of 90.93 feet: thence North 21 degrees 40 minutes 05 seconds West along the said road right of way line for a distance of 27.57 feet: thence North 65 degrees 04 minutes 33 seconds East for a distance of 756.86 feet to the POINT OF BEGINNING.

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