

SEND TAX NOTICE TO:

(Name) Phillip Eugene Cain

(Address) 536 Liberty Road
Chelsea 35043

This instrument was prepared by

(Name) Mike T. Atchison, Attorney at Law

(Address) Post Office Box 822, Columbiana, AL 35051

Form 1-1-5 Rev. 5/82

WARRANTY DEED, JOINT TENANTS WITH RIGHT OF SURVIVORSHIP - LAWYERS TITLE INSURANCE CORPORATION, Birmingham, Alabama

STATE OF ALABAMA
SHELBY

COUNTY

KNOW ALL MEN BY THESE PRESENTS,

That in consideration of SIXTY FIVE THOUSAND AND NO/100

to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt whereof is acknowledged, we,

THOMAS L. McALILEY and wife, LOIS B. McALILEY,

(herein referred to as grantors) do grant, bargain, sell and convey unto

PHILLIP EUGENE CAIN and wife, LAURA BYRD CAIN,

(herein referred to as GRANTEES) as joint tenants, with right of survivorship, the following described real estate situated in

SHELBY

County, Alabama to-wit:

Commence at the NE corner of the NE 1/4 of the NE 1/4 of Section 35, Township 19 South, Range 1 West, Shelby County, Alabama; thence run in a Westerly direction along the North line of said 1/4-1/4 a distance of 160.00 feet to the point of beginning; thence continue on last described course a distance of 150.00 feet; thence turn an angle to the left of 90 degrees 18 minutes and run in a southerly direction a distance of 196.92 feet to its intersection with the Northerly right of way line of a public road; thence turn an angle to the left of 88 degrees 57 minutes and run in an Easterly direction a distance of 41.81 feet to the point of commencement of a curve to the left having a central angle of 6 degrees 21 minutes and a radius of 977.83 feet; thence continue in an Easterly direction along the Northerly right of way line of said public road along the arc of said curve a distance of 108.37 feet; thence from the chord of the previously described curve turn an angle to the left of 87 degrees 52 minutes 30 seconds and run in a Northerly direction a distance of 192.88 feet to the point of beginning.

Subject to taxes for 1997 and subsequent years, easements, restrictions, rights of way, and permits of record.

\$61,750.00 of the above recited purchase price was paid from a mortgage recorded simultaneously herewith.

TO HAVE AND TO HOLD Unto the said GRANTEES as joint tenants, with right of survivorship, their heirs and assigns, forever; it being the intention of the parties to this conveyance, that (unless the joint tenancy hereby created is severed or terminated during the joint lives of the grantees herein) in the event one grantee herein survives the other, the entire interest in fee simple shall pass to the surviving grantee, and if one does not survive the other, then the heirs and assigns of the grantees herein shall take as tenants in common.

And I (we) do for myself (ourselves) and for my (our) heirs, executors, and administrators covenant with the said GRANTEES, 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, their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, we have hereunto set our hand(s) and seal(s), this 31st

January

day of 19 97

WITNESS:

(Seal)

Thomas L. McAliley
Thomas L. McAliley

(Seal)

(Seal)

Lois B. McAliley
Lois B. McAliley

(Seal)

(Seal)

STATE OF ALABAMA

SHELBY

COUNTY

I, the undersigned authority, a Notary Public in and for said County, in said State,

hereby certify that Thomas L. McAliley and wife, Lois B. McAliley

whose name is are signed to the foregoing conveyance, and who are known to me, acknowledged before me

on this day, that, being informed of the contents of the conveyance they executed the same voluntarily

on the day the same bears date.

Given under my hand and official seal this 31st day of January, A. D., 1997

John P. McAliley
Notary Public

My Commission Expires: 10/16/2000

inst 1997-03460
02/03/1997-03460
10:47 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
JCL: 544