

SEND TAX NOTICE TO:

(Name) Johnny F. Foster

(Address) 18461 R.V. Road
 Hwy 42 Shelby Ala
35143

This instrument was prepared by

(Name) Mike T. Atchison, Attorney at Law

(Address) P O 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 ONE HUNDRED THIRTY TWO THOUSAND AND NO/100 DOLLARS

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

Harry O. Russell and wife, Verna T. Russell,

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

Johnny F. Foster and wife, Carol A. Foster

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

Shelby

County, Alabama to-wit:

See Attached Exhibit "A" for Legal Description.

Subject to taxes for 1998 and subsequent years, easements, restrictions, rights of way and permits of record.

\$85,000.00 of the above recited purchase price was paid from a mortgage recorded simultaneously herewith.

Inst # 1997-35692

10/31/1997-35692
02:45 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 ACB 58.00

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 hands and seal(s), this 30th day of October, 1997.

WITNESS:

(Seal)

Harry O. Russell (Seal)
Harry O. Russell

(Seal)

Verna T. Russell (Seal)
Verna T. Russell

(Seal)

STATE OF ALABAMA

Shelby COUNTY

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Harry O. Russell and wife, Verna T. Russell whose names 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 30th

day of October, A.D., 1997.

My Commission Expires: 10/16/2000

[Signature]
Notary Public

Inst # 1997-35692

EXHIBIT "A"
LEGAL DESCRIPTION

Lot 7, according to a survey of the 1987 Addition to Shelby Shores, as recorded in Map Book 12, Page 23, in the Probate Office of Shelby County, Alabama.

ALSO:

Commence at the Northwest corner of the SE 1/4 of the SW 1/4, Section 7, Township 22 South, Range 2 East; thence run East along the North line of said 1/4-1/4 Section, a distance of 330.79 feet; thence turn a deflection angle of 90 degrees 00 minutes 00 seconds to the left and run a distance of 426.69 feet, to the South right of way of Shelby County Hwy. No. 42; thence turn a deflection angle of 154 degrees 09 minutes 23 seconds to the right and run a distance of 1458.28 feet; thence turn a deflection angle of 41 degrees 54 minutes 40 seconds to the left and run a distance of 555.98 feet; thence turn a deflection angle of 94 degrees 40 minutes 00 seconds to the left and run a distance of 194.00 feet to the point of beginning; thence continue in the same direction a distance of 60.00 feet; thence turn a deflection angle of 90 degrees 00 minutes 00 seconds to the right and run a distance of 115.00 feet to a point on the shore line of Lay Lake Reservoir; thence turn a deflection angle of 85 degrees 14 minutes 11 seconds to the right and run along said shore line a distance of 60.21 feet; thence turn a deflection angle of 94 degrees 45 minutes 19 seconds to the right and run a distance of 120.00 feet to the point of beginning. Situated in the SW 1/4 of SE 1/4, Section 7, Township 22 South, Range 2 East, Shelby County, Alabama.

TOGETHER WITH A NON A NON-EXCLUSIVE RIGHT OF WAY FOR INGRESS, EGRESS AND UTILITIES, 30 feet wide, 15 feet on each side of the following described centerline: Commence at the Northwest corner of the SE 1/4 of the SW 1/4 of Section 7, Township 22 South, Range 2 East, Shelby County, Alabama; thence run East along the North 1/4-1/4 line 702.35 feet; thence turn right 90 degrees 00 minutes 00 seconds and run South 1006.48 feet to the end of a paved road and the point of beginning of said centerline; thence turn left 120 degrees 08 minutes 48 seconds and run Northeast along the center of an existing chert road 182.96 feet; thence turn left 04 degrees 35 minutes 47 seconds and run Northeast 139.55 feet to the end of said 30-foot right of way and the beginning of a 60-foot right of way, 30 feet on each side of the following described centerline; thence turn right 98 degrees 35 minutes 09 seconds and run Southeast 37.74 feet; thence turn left 41 degrees 54 minutes 40 seconds and run Southeast 600 feet, more or less, to the edge of Lay Lake and the end of said centerline.

ALSO, a non-exclusive right of way for ingress, egress and utilities, 30 feet wide, 15 feet on each side of the following described centerline: Commence at the Northwest corner of the SE 1/4 of the SW 1/4 of Section 7, Township 22 South, Range 2 East, Shelby County, Alabama; thence run East along the North 1/4-1/4 line 702.35 feet; thence turn right 90 degrees 00 minutes 00 seconds and run South 1006.48 feet to the end of a paved road and the point of beginning of said centerline; thence turn left 120 degrees 08 minutes 48 seconds and run Northeast along the center of an existing chert road 182.96 feet; thence turn left 04 degrees 35 minutes 47 seconds and run Northeast 139.55 feet to the end of said 30-foot right of way and the beginning of a 60-foot right of way, 30-feet on each side of the following described centerline; thence turn right 98 degrees 35 minutes 09 seconds and run Southeast 37.74 feet; thence turn left 41 degrees 54 minutes 40 seconds and run Southeast 539.12 feet; thence turn left 94 degrees 40 minutes 00 seconds and run Northeast 285.56 feet to the end of said centerline.

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