

This instrument was prepared by

Mitchell A. Spears

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Send Tax Notice to: Jack N. Spinks
(Name)

(Address) 302 Mikes Road
Brierfield, AL 35035

WARRANTY DEED

STATE OF ALABAMA

SHELBY

COUNTY

KNOW ALL MEN BY THESE PRESENTS,

That in consideration of ONE HUNDRED NINETY-FIVE THOUSAND and 00/100, (\$195,000.00) DOLLARS OF WHICH IS SECURED BY A PURCHASE MONEY FIRST MORTGAGE, EXECUTED BY GRANTEE ON EVEN DATE HERewith, to the undersigned grantor (whether one or more), in hand paid by the grantee herein, the receipt whereof is acknowledged, KENNETH W. MOBLEY and wife, DARLENE G. MOBLEY

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

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

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

Inst # 1998-15653

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 28th day of APRIL, 19 98

(Seal)

(Seal)

(Seal)

KENNETH W. MOBLEY

DARLENE G. MOBLEY

STATE OF ALABAMA

SHELBY

County

General Acknowledgment

I, the undersigned authority a Notary Public in and for said County, in said State, hereby certify that Kenneth W. Mobley and wife, Darlene G. Mobley

whose name(s) 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 28th day of APRIL, 19 98

My Commission Expires: 9/13/2001

Notary Public

EXHIBIT "A"

Begin at the SE corner of Section 2, Township 24 North, Range 12 East, Shelby County, Alabama; thence West along the South line of said Section 2 for 2671.84 feet; thence right 85 degrees 51 minutes 09 seconds in a Northerly direction 981.67 feet to an old iron for the point of beginning; thence right 1 degree 48 minutes 41 seconds in a Northerly direction 1356.18 feet to the South right of way of Alabama Highway No. 25, said last mentioned line passes through an old iron sometimes referred to and used as the SW corner of the SW 1/4 of the NE 1/4 of said Section 2; thence right 93 degrees 15 minutes 48 seconds in an Easterly direction along said South right of way 409.47 feet to the NW corner of Murray Hill Subdivision, Sector One, as recorded in Map Book 5, Page 92 in the Shelby County Probate Office; thence right 86 degrees 17 minutes 26 seconds in a Southerly direction along the West boundary of said Murray Hill Subdivision; Sector One 1343.47 feet to an old iron; thence right 91 degrees 53 minutes 12 seconds in a Westerly direction along an old fence 419.38 feet to the point of beginning, being located in the W 1/2 of the SE 1/4 and the SW 1/4 of the NE 1/4 of said Section 2, Township 24, Range 12 East,

LESS AND EXCEPT,

Begin at the SE corner of Section 2, Township 24 North, Range 12 East, Shelby County, Alabama; thence West along the South line of said Section 2 for 2671.84 feet; thence right 85 degrees 51 minutes 09 seconds in a Northerly direction 981.67 feet to an old iron; thence right 1 degree 48 minutes 41 seconds in a Northerly direction 1197.39 feet to the point of beginning; thence continue along said course 158.79 feet to the South right of way of Alabama Highway No. 25, said last mentioned line passes through an old iron sometimes referred to and used as the SW corner of the SW 1/4 of the NE 1/4 of said Section 2; thence right 93 degrees 15 minutes 48 seconds in an Easterly direction along said south right of way 124.47 feet; thence right 86 degrees 44 minutes 12 seconds in a Southerly direction 158.79 feet; thence right 93 degrees 15 minutes 48 seconds in a Westerly direction 124.47 feet to the point of beginning, according to the survey of W. M. Varnon, Registered Land Surveyor, dated June 9, 1981.

ALSO:

A parcel of land located in the W 1/2 of SE 1/4 and the SW 1/4 of NE 1/4 of said Section 2, Township 24 North, Range 12 East.

Begin at the SE corner of Section 2, Township 24 North, Range 12 East, Shelby County, Alabama; thence West along the South line of said Section 2 for 2671.84 feet; thence right 85 deg. 51 min. 09 sec. in a Northerly direction 981.67 feet to an old iron; thence right 1 deg. 40 min. 41 sec. in a Northerly direction 1197.39 feet to the point of beginning; thence continue along said course 158.79 feet to the South right of way of Alabama Highway No. 25, said last mentioned line passes through an old iron sometimes referred to and used as the SW corner of the SW 1/4 of the NE 1/4 of said Section 2; thence right 93 deg. 15 min. 48 sec. in an Easterly direction along said South right of way 124.47 feet; thence right 86 deg. 44 min. 12 sec. in a Southerly direction 158.79 feet; thence right 93 deg. 15 min. 48 sec. in a westerly direction 124.47 feet to the point of beginning.

LESS AND EXCEPT:

Commencing at the Southwest corner of the SW 1/4 of NE 1/4, Section 2, Township 24 North, Range 12 East; thence Northerly along the West line of said SW 1/4 of NE 1/4 a distance of 81 feet, more or less, to a point that is 45 feet Southwesterly of and at right angles to the centerline of Project No. OLB-059-025-001 and the point of beginning of the property herein to be conveyed; thence South 85 deg. 18 min. 21 sec. East parallel with the centerline of said project, a distance of 129 feet, more or less, to the East property line; thence Northerly along said East property line, a distance of 16 feet, more or less, to the present Southwest right-of-way line of Alabama Highway No. 25; thence Northwesterly along said Southwest right-of-way line a distance of 130 feet, more or less, to the West line of said SW 1/4 of NE 1/4, thence Southerly along said West line, a distance of 16 feet, more or less, to the point of beginning.

SUBJECT TO:

Taxes for 1998 and subsequent years. 1998 ad valorem taxes are a lien but not due and payable until October 1, 1998.

Any loss, claim, damage, or expense including additional tax due, if any, arising from or due to the fact that ad valorem taxes for subject property have been paid under a current use assessment.

Mortgage from Kenneth W. Mobley and wife, Darlene G. Mobley to Merchants & Planters Bank, dated February 7, 1992, recorded in Real Book 389, Page 459 in Probate Office.

Rights, if any, of Shelby County under instruments recorded in Deed Book 76, Page 434 in Probate Office of Shelby County, Alabama.

Subject to rights of Alabama Power Company recorded in Deed Book 107, Page 304; Deed Book 181, Page 431; Deed Book 188, Page 67; Deed Book 276, Page 480 in Probate Office.


Agreement with Alabama Power Company as recorded in Real Volume 35, Page 313 in Probate Office.


Title to minerals underlying caption lands with mining rights and privileges belonging thereto as reserved in Real Book 332, Page 255 in Probate Office.

PURCHASE MONEY FIRST MORTGAGE IN FAVOR OF GRANTORS HEREIN, EXECUTED BY GRANTEES HEREIN, IN THE SUM OF \$175,000.00.

THIS MORTGAGE TO GRANTORS IS A WRAP-AROUND MORTGAGE WHICH WRAPS AROUND THAT CERTAIN MORTGAGE EXECUTED BY GRANTORS TO MERCHANTS & PLANTERS BANK, NOW KNOWN AS THE PEOPLES BANK & TRUST COMPANY, AS RECORDED IN REAL BOOK 389, PAGE 459, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

Dated: April 28, 1998


Kenneth W. Mobley, GRANTOR


Darlene G. Mobley, GRANTOR

Inst # 1998-15653

04/30/1998-15653
12:47 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 MEL 33.50