

WARRANTY DEED

This Instrument Was Prepared By:

Frank K. Bynum, Esquire
#17 Office Park Circle
Birmingham, Alabama 35223

SEND TAX NOTICE TO:

Robert F. Hoffine
201 Ferry Road
Columbiana, AL 35051

STATE OF ALABAMA)

KNOW ALL MEN BY THESE PRESENTS,

COUNTY OF SHELBY)

That in consideration of ONE HUNDRED SEVENTY THREE THOUSAND THREE HUNDRED SEVENTY FIVE AND NO/100 DOLLARS (\$173,375.00), to the undersigned Grantors in hand paid by the Grantees herein, the receipt of which is hereby acknowledged, **JOHN D. AVERETT AND WIFE, MARTHA AVERETT**, (herein referred to as Grantors) do grant, bargain, sell and convey unto **ROBERT F. HOFFINE AND ADELE L. HOFFINE**, (herein referred to as Grantees), as joint tenants, with right of survivorship, the following described real estate, situated in the State of Alabama, County of SHELBY, to-wit:

Initial RFH ALH

SEE EXHIBIT "A" FOR LEGAL DESCRIPTION

Subject to existing easements, restrictions, set back lines, rights of ways, limitations, if any, of record.

\$164,700.00 of the purchase price recited above was paid from a mortgage loan closed simultaneously herewith.

John D. Averett, the Grantor herein, is one and the same person as John D. Averette.

Martha Averett, the Co-Grantor herein, is one and the same person as Martha Averett.

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 we do for ourselves and for our heirs, executors, and administrators covenant with said Grantees, their heirs and assigns, that we are lawfully seized in fee simple of said premises, that they are free from all encumbrances, unless otherwise noted above; that we have a good right to sell and convey the same as aforesaid; that we will and my heirs, executors and administrators shall, warrant and defend the same to the said Grantees, their heirs, and assigned forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, we have hereunto set our hands and seal, this 31st day of July, 1998.

John D. Averett
JOHN D. AVERETT

Martha Averett
MARTHA AVERETT

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that **JOHN D. AVERETT AND WIFE, MARTHA AVERETT** 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 the 31st day of July, 1998.

Frank Bynum
Notary Public

My Commission Expires: 11/20/2000

zhoffine

08/07/1998-30411
01:40 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 HCD 20.00

Inst # 1998-30411

This legal description is hereby made a part of that certain deed from John D. Averett and Marsha Averett to Robert F. Hoffine and adele L. Hoffine dated July 31, 1998.

EXHIBIT "A" / LEGAL DESCRIPTION

Commence at the back of the curb on the East side of Arlington Street and the back of the sidewalk on the South side of Highway 28 (Ferry Road); thence run East along the back of the sidewalk a distance of 86.63 feet; thence turn an angle of 01 degrees 01 minutes 04 seconds to the right and continue along the back of the sidewalk a distance of 64.16 feet; thence turn an angle of 01 degrees 15 minutes 54 seconds to the right and continue along the back of the sidewalk a distance of 46.04 feet; thence turn an angle of 92 degrees 07 minutes 07 seconds to the right and run a distance of 204.69 feet; thence turn an angle of 89 degrees 22 minutes 25 seconds to the right and run a distance of 224.60 feet to the back of the curb on the East side of Arlington Street; thence turn an angle of 98 degrees 50 minutes 30 seconds to the right and run along the back of the curve of said Arlington Street a distance of 197.03 feet to the point of beginning. Said lot is lying in the NE 1/4 of the NW 1/4 of Section 25, Township 21 South, Range 1 West, Shelby County, Alabama.

Said property is also subject to the following easement: A 25-foot easement for the purpose of ingress, egress, and utilities as described as follows: Commence at the SW corner of said lot and run North along said property line a distance of 25.30 feet; thence turn an angle of 81 degrees 09 minutes 30 seconds right and run a distance of 220.99 feet; thence turn an angle of 90 degrees 37 minutes 48 seconds right and run a distance of 25.00 feet; thence turn an angle of 89 degrees 22 minutes 25 seconds right and run a distance of 224.60 feet to the point of beginning.

According to survey of Rodney Y. Shiflett, RLS #21784, dated July 30, 1998.

John D. Averett

Martha Averett

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