

This instrument was prepared by:
Richard W. Theibert, Esq.
Najjar Denaburg, P.C.
2125 Morris Avenue
Birmingham, Alabama 35203

Send Tax Notice To:

Thurston Cothran and Shirley Cothran
105 Old Lokey Ferry Road
Wilsonville, Alabama 35186

WARRANTY DEED (With Survivorship)

STATE OF ALABAMA)
SHELBY COUNTY)

09/10/1998-35323
08:48 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 CRH 14.00

KNOW ALL MEN BY THESE PRESENTS, That in consideration of SEVENTY NINE THOUSAND FIVE HUNDRED DOLLARS (\$79,500.00) to the undersigned grantor, Phoenix Funding, a division of Security Mutual Financial Services, Inc. (hereinafter referred to as "grantor"), in hand paid by the grantees herein, the receipt whereof is acknowledged, the grantor does hereby grant bargain, sell and convey unto Thurston Cothran and Shirley Cothran, husband and wife, (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"

Subject to the following:

1. General and special taxes for 1998 and subsequent years.
2. Right of way to State of Alabama as recorded in Deed Book 282, page 370 in the Probate Office of Shelby County, Alabama.
3. Right of way to Shelby County, Alabama as set forth in Real Record 14, page 894, in the Probate Office of Shelby County, Alabama.
4. Easement to Town of Wilsonville as set forth in Deed Book 341, page 867 in the Probate Office of Shelby County, Alabama.
5. Transmission line permits to Alabama Power Company recorded in Deed Book 131, page 469 and Deed Book 169, page 325 in the Probate Office of Shelby County, Alabama.
6. Less and except any part of caption and lands that may lie within a public road.
7. Mineral and mining rights and rights, privileges and immunities incident thereto, including rights set forth in Deed Book 166, page 319, in the Probate Office of Shelby County, Alabama.
8. Statutory right of redemption on the part of those entitled to redeem.
9. Existing rights of way, encroachments, party walls, building restrictions, zoning, recorded and/or unrecorded easements, deficiency in quantity of ground, overlaps, overhangs, any discrepancies or conflicts in boundary lines, or any matters not of record, if any, which would be disclosed by an inspection and survey of the property.

THIS DEED WAS PREPARED WITHOUT THE BENEFIT OF A SURVEY.

Inst. # 1998-35323

TO HAVE AND TO HOLD Unto to the grantees, as joint tenants with right of survivorship, 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) in the event one grantee herein survives the other, the entire interest in fee simple shall pass to the surviving grantee herein; and if one grantee does not survive the other, then the heirs and assigns of the grantees herein shall take as tenants in common. And the grantor does for itself, its successors and assigns covenant with the grantees, their heirs and assigns that it is lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that it has a good right to sell and convey the same as aforesaid; that it will and its successors and assigns shall warrant and defend the same to the grantees and their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the grantor, by its Secretary, D. Timothy Speegle, who is authorized to execute this conveyance, has hereunto set its signature and seal, this 3rd day of September, 1998.

ATTEST:

PHOENIX FUNDING, a division of
Security Mutual Financial Services, Inc.

By: D. Timothy Speegle
Its: Secretary

STATE OF ALABAMA)
JEFFERSON COUNTY)

GENERAL ACKNOWLEDGEMENT

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that D. Timothy Speegle, whose name as Secretary of Phoenix Funding, a division of Security Mutual Financial Services, Inc. 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, as such officer with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this 3rd day of September, 1998

Christa R. Ottaway
Notary Public
My commission expires: 6-4-2000

EXHIBIT "A"

A parcel of land in the SW 1/4 of the SW 1/4 of Section 12, Township 12 South, Range 1 East, Shelby County, Alabama, described as follows: Commence at the SW corner of Section 12, Township 21 South, Range 1 East, and run East along the South line of said Section 1188.13 feet to the Easterly right of way of Old Lokay Ferry Road; thence 129 deg. 8 min. 24 sec. left and run Northwesterly along said right of way 757.78 feet to the point of beginning; thence continue last described course for 42.47 feet to the beginning of a curve concaved to the left having a radius of 1165.92 feet; thence continue along said curve and right of way for 102.53 feet; thence 84 deg. 24 min. 41 sec. right from tangent of said curve run 141.53 feet; thence 96 deg. 27 min. 30 sec. right run 110.00 feet; thence 70 deg. 55 min. right run 155.19 feet to the point of beginning; being situated in Shelby County, Alabama.

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