

This instrument was prepared by
Mitchell A. Spears
ATTORNEY AT LAW
P.O. Box 119
Montevallo, AL 35115-0091
205/665-5102
205/665-5076

Send Tax Notice to:
(Name) J. D. and CLARA R. ALLEN
(Address) 171 Highway 259
Montevallo, AL 35115
MINIMUM VALUE: \$1,000.00

WARRANTY DEED, JOINTLY FOR LIFE WITH REMAINDER TO SURVIVOR

STATE OF ALABAMA }
SHELBY COUNTY } KNOW ALL MEN BY THESE PRESENTS,

That in consideration of ONE DOLLAR, (\$1.00) AND OTHER GOOD AND VALUABLE CONSIDERATION DOLLARS to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt whereof is acknowledged, we, GORDON L. HAYS, a married man; WILLIAM D. HAYS, a single man; RODNEY D. HAYS, a single man; JEFFREY K. HAYS, a single man; DEBRA H. POPINSKI, a married woman; & SANDRA H. HAMAKER, a married woman (herein referred to as grantors) do grant, bargain, sell and convey unto

J. D. ALLEN and wife, CLARA R. ALLEN
(herein referred to as GRANTEES for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, the following described real estate situated in SHELBY County, Alabama to-wit:

A part of the SW ¼ of SE ¼, Section 34, Township 21, Range 4 West, described as follows: Beginning at the SW corner of the SW ¼ of SE ¼ of said Section and running East along South line of said forty a distance of 420 feet to point of beginning a lot herein described; thence continuing East a distance of 175-1/2 feet; thence in a Northwesterly direction a distance of 430 feet to a point which is 525 feet East of the West line of said forty; thence run West 105 feet to the East line of Jesse F. Allen lot; thence South along the East side of Allen lot a distance of 420 feet to point of beginning.
Mineral and mining rights are not insured.

THE REAL ESTATE HEREIN CONVEYED DOES NOT CONSTITUTE THE HOMESTEAD OF ANY OF THE MARRIED GRANTORS HEREINABOVE DESIGNATED, NOR THAT OF THEIR SPOUSES, NEITHER IS IT CONTIGUOUS THERETO.

REFERENCE IS HEREBY MADE TO EXHIBIT "A", CONSTITUTING THE HEIRSHIP AFFIDAVIT, AND EXHIBIT "A-1" CONSTITUTING THE LAST WILL AND TESTAMENT OF THE DECEDENT REFERRED TO HEREIN SAME OF WHICH IS ATTACHED HERETO AND FULLY INCORPORATED HERewith. PURSUANT TO SUCH WILL, THE GRANTORS HEREIN ARE VESTED WITH ALL RIGHT, TITLE AND INTEREST IN AND TO SUCH PROPERTY, FOR THE PURPOSE OF THIS CONVEYANCE.

10/30/1998-42692
10/30/1998-42692
09:14 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
23.00
905 SWA

TO HAVE AND TO HOLD to the said GRANTEES for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, and to the heirs and assigns for such survivor forever.

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 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 22nd day of October, 19 98.

WITNESS

<u>Gordon L. Hays</u> (Seal)	<u>Jeffrey K. Hays</u> (Seal)
<u>William D. Hays</u> (Seal)	<u>Debra H. Popinski</u> (Seal)
<u>Rodney D. Hays</u> (Seal)	<u>Sandra H. Hamaker</u> (Seal)

STATE OF ALABAMA NORTH CAROLINA
Cabarrus COUNTY } General Acknowledgment

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Gordon L. Hays whose name 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 executed the same voluntarily on the day the same bears date.

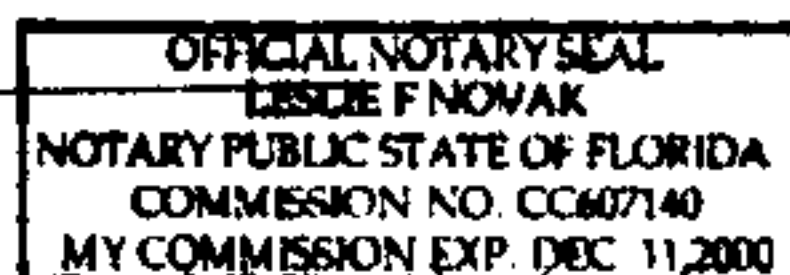
Given under my hand and official seal this 16th day of September A.D., 19 98
9-27-99
Kelly D. Smith
Notary Public
My Commission Expires

STATE OF FLORIDA)
COUNTY OF PINELLAS) GENERAL ACKNOWLEDGMENT

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that **WILLIAM D. HAYS**, whose name 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 executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 24 day of SEPTEMBER, 1998.

Leshie F. Novak
Notary Public
My commission expires: _____



STATE OF Alabama)
COUNTY OF Jefferson) GENERAL ACKNOWLEDGMENT

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that **RODNEY D. HAYS**, whose name 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 executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 22 day of October, 1998.

Sharon M. McKeary
Notary Public
My commission expires: Oct. 07, 2000

STATE OF Alabama)
COUNTY OF Bowling) GENERAL ACKNOWLEDGMENT

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that **JEFFREY K. HAYS**, whose name 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 executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 14th day of October, 1998.

Sherry S. Rodolfer
Notary Public
My commission expires: 2-2-99

STATE OF Alabama)
COUNTY OF Shelby) GENERAL ACKNOWLEDGMENT

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that **DEBRA H. POPINSKI**, whose name 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, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 2nd day of October, 1998.

Nancy P. Lambell
Notary Public
My commission expires: MY COMMISSION EXPIRES MARCH 18, 2001

STATE OF Alabama)
COUNTY OF Jefferson) GENERAL ACKNOWLEDGMENT

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that **SANDRA H. HAMAKER**, whose name 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, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 20th day of October, 1998.

Sharon M. McKeary
Notary Public
My commission expires: October 07, 2000

EXHIBIT "A"

STATE OF ALABAMA)
COUNTY OF SHELBY)

HEIRSHIP AFFIDAVIT

COME NOW the Affiants herein, GORDON L. HAYS, WILLIAM D. HAYS, RODNEY D. HAYS, JEFFREY K. HAYS, DEBRA H. POPINSKI and SANDRA H. HAMAKER, and after first being duly sworn, said Affiants do hereby depose and say as follows:

1. That the Affiants have personal knowledge of the facts stated herein.
2. That the Affiants are familiar with the personal history of James Clifton Hays, also known as James C. Hays, and being one and the same person as James Clifton Hays, hereinafter referred to as the "Decedent".
3. Said Decedent died on or about July 24, 1998, while residing in Shelby County, Alabama. At the time of Decedent's date of death, said Decedent was vested with all right, title and interest in and to certain real estate located within Shelby County, Alabama, hereinafter described, as follows:

A part of the SW $\frac{1}{4}$ of SE $\frac{1}{4}$, Section 34, Township 21, Range 4 West, described as follows: Beginning at the SW corner of the SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of said Section and running East along South line of said forty a distance of 420 feet to point of beginning a lot herein described; thence continuing East a distance of 175-1/2 feet; thence in a Northwesterly direction a distance of 430 feet to a point which is 525 feet East of the West line of said forty; thence run West 105 feet to the East line of Jesse F. Allen lot; thence South along the East side of Allen lot a distance of 420 feet to point of beginning. Situated in Shelby County, Alabama

At the time of Decedent's death, he was a bona fide resident citizen of Shelby County, Alabama, and said Decedent died testate, and a copy of the Will of Decedent is hereto attached as "Exhibit A-1".

4. Affiants further state that the Decedent left surviving the following persons, as heirs or otherwise interested in his estate, as follows:

Gordon L. Hays
4089 Zebulon Place
Concord, NC 28025

William D. Hays
223 Dolphin Pt., Apt. 4
Clearwater, FL 33767

Rodney D. Hays
3569 Lorna Road, Apt. F2
Hoover, AL 35216

Jeffrey K. Hays, 162455
1000 St. Clair Rd.
Springville, AL 35146

Debra H. Popinski
123 Canyon Place
Pelham, AL 35124

Sandra H. Hamaker
4309 Canoles Drive
Bessemer, AL 35023

5. Said Affiants further state that said Decedent left no other children, either natural or adopted, or any other descendants of said Decedent, otherwise than are stated above. Furthermore, said Affiants state that each of the above designated descendants or heirs hereinabove mentioned are over the age of nineteen (19) years, and of sound mind.
6. All debts and charges against the estate of the above-designated Decedent have been paid and fully satisfied. Furthermore, said Decedant's Last Will and Testament, dated October 3, 1989, has not been submitted for probate to any Court of competent jurisdiction, and no such probate is anticipated (said Will is attached hereto as Exhibit "A-1").

Gordon L. Hays
GORDON L. HAYS

William D. Hays
WILLIAM D. HAYS

Rodney D. Hays
RODNEY D. HAYS

Jeffrey K. Hays
JEFFREY K. HAYS

Debra H. Popinski
DEBRA H. POPINSKI

Sandra H. Hamaker
SANDRA H. HAMAKER

STATE OF North Carolina)
COUNTY OF Cabarrus)

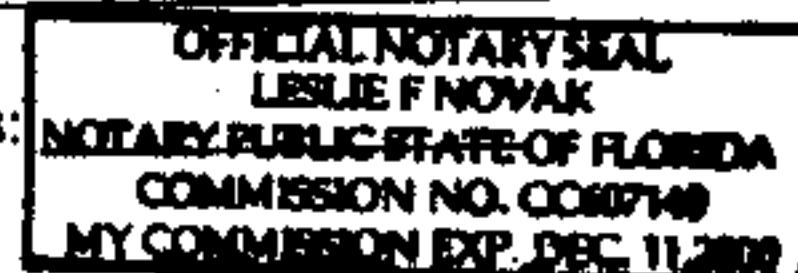
Sworn to and subscribed before me this the 16th day of September, 1998.

William D. Smith
Notary Public
My commission expires: 9-22-99

STATE OF FLORIDA)
COUNTY OF Pinellas)

Sworn to and subscribed before me this the 24 day of SEPTEMBER, 1998.

Leslie F. Novak
Notary Public
My commission expires:



STATE OF Alabama)
COUNTY OF Jefferson)

Sworn to and subscribed before me this the 23 day of October, 1998.

Sharon H. Thompson
Notary Public
My commission expires: Oct. 07, 2000

STATE OF Alabama)
COUNTY OF Etowah)

Sworn to and subscribed before me this the 14th day of October, 1998.

Sherry S. Rodocher
Notary Public
My commission expires: 2-2-99

STATE OF Alabama)
COUNTY OF Shelby)

Sworn to and subscribed before me this the 2 day of October, 1998.

Nancy P. Lambeth
Notary Public
My commission expires: MY COMMISSION EXPIRES MARCH 18, 2001

STATE OF Alabama)
COUNTY OF Jefferson)

Sworn to and subscribed before me this the 20th day of October, 1998.

Shawn H. Henry
Notary Public
My commission expires: October 07, 2000

Inst # 1998-42692

10/30/1998-42692
09:14 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
005 SNA 23.00