

Send Tax Notice To:

✓ Charles H. Ellis and Jane H. Ellis

Holly Ellis Whatley

91 Oak View Drive

Indian Springs, Alabama 35124

This Instrument Prepared By:

Frank M. Bainbridge
BAINBRIDGE, MIMS, ROGERS & SMITH
The Luckie Bldg., Suite 415
Birmingham, AL 35223

WARRANTY DEED, JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

STATE OF ALABAMA)

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF SHELBY)

That in consideration of One Dollar (\$1.00) in hand paid by the Grantees herein, the receipt whereof is acknowledged, and love and affection the undersigned Grantor, Eleanor B. Hester, a single person, being the widow of James D. Hester, deceased, (herein referred to as Grantor), do grant, bargain, sell and convey unto Charles H. Ellis an undivided 6.94% interest, unto Jane H. Ellis an undivided 6.94% interest, and unto Holly Ellis Whatley an undivided 6.94% interest (herein referred to as Grantees), as joint tenants, with right of survivorship, the following described real estate situated in Shelby County, Alabama, to-wit:

Commence on the South side of Kelleys Creek where the Section line between Sections 14 and 23, Township 18, Range 2 East crosses said creek, thence run up said creek to the mouth of first branch; thence parallel with said branch to the top of the mountain; thence on top of mountain to the section line between Sections 14 and 23; thence East along Section Line to the point of beginning.

Also the NW 1/4 of NE 1/4 and all of the NE 1/4 of NE 1/4 of Section 23, Township 18 South, Range 2 East, lying West of Kelleys Creek, and all of the SE 1/4 of NE 1/4 of Section 23, Township 18, Range 2 East, lying between Kelleys Creek and Muddy Branch.

Also begin at the NE corner of the NW 1/4 of Section 23, Township 18 South, Range 2 East and run South 4° to a branch; thence up said branch 16.50 chains; thence North 35° West 13 chains to top of mountain; thence along the top of mountain in an Easterly and Northeasterly direction to a point which is 7.90 chains East of the West line of said NE 1/4 of NW 1/4 of said Section 23, and 8.20 chains South of the North line of said Forty acres; thence North along East line of Coosa River Newsprint land 8.20 chains to the North line of said forty; thence East to point of beginning.

It is the understanding and intent of the parties hereto that the property described herein includes as a part thereof the seven (7) acre tract described in the deed from James D. Hester and Eleanor B. Hester to John W. Ogletree and Carrie B. Ogletree recorded in Book 310, Page 183, in the Probate Office of Shelby County, Alabama.

Grantor and her deceased husband originally acquired the property conveyed herein by deed dated March 25, 1960 from Lynn Howard Bankston and wife, the deed being recorded in Book 208, Page 234, Office of the Judge of Probate, Shelby County, Alabama. Thereafter an undivided one-half interest in the property was conveyed to John W. Ogletree and wife by deed dated September 13, 1965, recorded Book 237, Page 828, Office of the Judge of Probate, Shelby County, Alabama. By this conveyance Grantor conveys an undivided 13.88%

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of her remaining 50% interest in the property originally acquired from Bankston or 6.94% undivided interest in the entire property unto each above-named Grantee. Grantor holds as joint tenant with right of survivorship an interest in the property over and above the said 50% and it is not the intent of the Grantor that any of said additional interest is conveyed or affected by the delivery of this deed.

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 Grantees, the entire interest in fee simple shall pass to the one surviving Grantee, together with every contingent remainder and right of reversion.

And I do for myself and for my heirs, executors, and administrators covenant with the said Grantees, their heirs and assigns, that I am lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that I have a good right to sell and convey the same as aforesaid; that I will and my 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, I have hereunto set my hand and seal, this the 21 day of December, 1999.


Eleanor B. Hester

STATE OF ALABAMA)
)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Eleanor B. Hester, 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 21 day of December, 1999.


Notary Public

My Commission Expires: 8-26-2002

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