

\$10,000.00

Send tax notice to:  
James H. Foster  
Geraldine Foster  
340 Brandy Lane  
Harpersville, AL 35078

Inst # 2001-04550

02/08/2001-04550  
11:35 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
003 MWB 27.00

This Instrument Prepared By:  
Kay O. Wilburn  
Feld, Hyde, Lyle, Wertheimer & Bryant, P.C.  
2000 SouthBridge Parkway, Suite 500  
Birmingham, Alabama 35209

**THIS INSTRUMENT HAS BEEN PREPARED IN ACCORDANCE WITH THE INFORMATION SUPPLIED BY THE PARTIES HERETO. NO TITLE EXAMINATION AND/OR OPINION WAS REQUESTED OF FELD, HYDE, LYLE, WERTHEIMER & BRYANT, P.C. BY EITHER GRANTOR OR GRANTEE, AND NONE WAS CONDUCTED AND/OR RENDERED.**

**WARRANTY DEED**

STATE OF ALABAMA )

KNOW ALL MEN BY THESE PRESENTS:

SHELBY COUNTY )

That in consideration of One Dollar and other good and valuable consideration, to the undersigned Grantors in hand paid by the Grantees herein, the receipt whereof is acknowledged, we, James H. Foster a/k/a James Foster and Geraldine Foster a/k/a Geraldine A. Foster, husband and wife (hereinafter referred to as "Grantors"), do grant, bargain, sell and convey unto James H. Foster and Geraldine Foster, as tenants in common (hereinafter referred to as "Grantees"), all of the following described real estate situated in Shelby County, Alabama, to-wit:

**PARCEL ONE:**

Lot 16, according to the survey of Clearview Estates, Sector II, as recorded in Map Book 23, Page 163, in the Probate Office of Shelby County, Alabama, being situated in Shelby County, Alabama.

**LESS AND EXCEPT:**

Commence at the Southeast corner of said Lot 16, thence run Northerly along the East line a distance of 7.80 feet to a point, thence turn an angle to the left and run in a Southwesterly direction in a straight line to the Southwest corner of said Lot 16, thence run in a Easterly direction along the South line of said Lot 16 268.03 feet to the point of beginning.

SOURCE OF TITLE: Instrument #1999-52684

**PARCEL TWO:**

The North one-half of Lot Number 15 of the Clearview Estates Subdivision as recorded in the Office of the Judge of Probate of Shelby County, Alabama in Plat Book 23 at Page 163 and being more particularly described as follows:

Commence at the Southwest corner of the South one-half of the Northeast Quarter of Section 28, Township 19 South, Range 2 East, Shelby County, Alabama and proceed N 0 deg. 36' 30" E along the West boundary of said south one-half for 473.97 feet to the Northwest corner of the aforementioned Lot 15, said point being the POINT OF BEGINNING of herein described parcel of land; thence from said POINT OF BEGINNING proceed S 89 deg. 57' 53" E along the North boundary of said Lot 15 for 268.03 feet to a point on the West right-of-way boundary of Brandy Lane (R/W 50'); thence S 0

deg. 37' 30" W along said right-of-way for 51.60 feet; thence leaving said right-of-way proceed N 89 deg. 57' 53" W parallel to the North boundary of Lot 15 for 268.01 feet to a point on the aforementioned West boundary of said South one-half of the Northeast Quarter; thence N 0 deg. 36' 30" E along the West boundary of said South one-half for 51.60 feet, back to the POINT OF BEGINNING, containing 0.32 acres, more or less.

**PARCEL THREE:**

Tract No. 2 according to the Survey of W. M. Varnen, Registered Land Surveyor 9324, dated April 26, 1985; Begin at the NW corner of the NE¼ of Section 28, Township 19 South, Range 2 East, Shelby County, Alabama; thence southerly along the west line of said ¼ Section 1226.41 feet, more or less, to the centerline of Southern Railway right of way; thence left 100 deg. 30 min. in a northeasterly direction along said centerline 700.00 feet to the point of beginning; thence continue Northeasterly along said centerline 641.63 feet; thence left 90 deg. 00 min. in a northwesterly direction 398.00 feet; thence right 81 deg. 00 min. in a northeasterly direction 375.00 feet to the west right of way of a public road; thence 79 deg. 35 min. left in a northwesterly direction along said right of way 225.00 feet, more or less, to a point that is 25.00 feet South of the North line of said ¼ Section; thence West along a line that is 25.00 feet South and parallel to said North line 720.00 feet; thence Southerly and parallel to said West line 978.05 feet, more or less, to the point of beginning; being situated in Shelby County, Alabama.

This conveyance is made subject to the following:

1. The lien for ad valorem taxes due in the current year or the subsequent year but not yet payable.
2. Parcel One is subject to the restrictions contained in Deed recorded at Instrument No. 1999-52684.
3. All other easements, liens, encumbrances, restrictions, rights-of-way, any reservations of mineral rights, and other matters of record in the Probate Office of Shelby County, Alabama, together with any deficiencies in quantity of land, easements, discrepancies as to boundary lines, overlaps, etc., which would be disclosed by a true and accurate survey of the property conveyed herein.

TO HAVE AND TO HOLD to said Grantees, their heirs, successors and assigns forever.

**The purpose of this conveyance is to eliminate the survivorship ownership between the parties and to create ownership between the parties as tenants in common.**

The Grantors and the Grantees, James H. Foster a/k/a James Foster and Geraldine Foster a/k/a Geraldine A. Foster, are one and the same persons.

And we do for ourselves and for our heirs, executors, and administrators covenant with the said Grantees, their heirs, successors 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 our heirs, executors and administrators shall warrant and defend the same to the said Grantees, their heirs, successors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the Grantors have hereunto set their hands and seals this 6 day of Feb, 2001.

James H Foster  
James H. Foster a/k/a James Foster

Geraldine A. Foster  
Geraldine Foster a/k/a Geraldine A. Foster

I, the undersigned authority, a Notary Public in and for the State of Alabama at Large, hereby certify that James H. Foster a/k/a James Foster and Geraldine Foster a/k/a Geraldine A. Foster, husband and wife, 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 this 6<sup>th</sup> day of February, 2001.

Michelle S. Herring  
Notary Public

Michelle S. Herring  
Printed Name

My Commission Expires: 4-7-04

(NOTARY SEAL)

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