

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) Jay Stephen Bishop

(Address) 103 Highway 97

Columbiana, AL 35051

WARRANTY DEED, JOINTLY FOR LIFE WITH REMAINDER TO SURVIVOR

STATE OF ALABAMA

SHELBY

COUNTY

KNOW ALL MEN BY THESE PRESENTS,

That in consideration of Sixty-two Thousand, Five Hundred and 00/100----- (\$62,500.00) DOLLARS to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt whereof is acknowledged, we

Monty Kirk Bishop, an unmarried man; Jay Stephen Bishop and wife, Vijaya L. Bishop (herein referred to as grantors) do grant, bargain, sell and convey unto

Jay Stephen Bishop and wife, Vijaya L. Bishop (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:

Commence at the Southwest corner of the SW ¼ of SE ¼, Section 32, Township 21 South, Range 1 West, being found in place and documented by a survey by Horace Ray Edwards, Reg. C. E. & L. S. No. 9132 dated January 30, 1971; thence run in a Northerly direction along the West boundary line of said SW ¼ of SE ¼ a distance of 152.16 feet to a point, being the point of beginning of the parcel of land herein described; thence continue along the last described course for 217.84 feet to a point 30.0 feet Westerly from the centerline of County Highway No. 97; thence turn an angle of 157°36'57" right and run Southeasterly and parallel to said centerline of Highway 97, along a curve to the left with a radius of 197.73 feet and a central angle of 34°16'30" for an arc distance of 118.28 feet to a point; thence continue along a line 30 feet from and parallel to County Highway 97 along a tangent for 247.07 feet to a point; thence turn an angle of 94°25' right and run 60.00 feet to a point; thence turn an angle of 65°00'52" right and run 250.01 feet to the point of beginning. Said parcel is lying in the SW ¼ of SE ¼, Section 32, Township 21 South, Range 1 West and contains 0.74 acres.

THE ABOVE STATED CONSIDERATION CONSISTS OF GRANTEES' ASSUMPTION OF THAT CERTAIN MORTGAGE TO THE UNITED STATES DEPARTMENT OF AGRICULTURE, AS RECORDED IN THE OFFICE OF THE PROBATE JUDGE, SHELBY COUNTY, ALABAMA, AT INSTRUMENT NUMBER 1994-24853.

REFERENCE IS HEREBY MADE TO EXHIBIT "A" (HEIRSHIP AFFIDAVIT), AND EXHIBIT "A-1" (LAST WILL AND TESTAMENT OF STEPHEN CLYDE BISHOP), SAME OF WHICH ARE INCORPORATED HEREWITH, AS THOUGH FULLY SETOUT HEREIN.

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 10th day of February, ~~19~~ 2001.

WITNESS

Monty Kirk Bishop (Seal)
Monty Kirk Bishop

Jay Stephen Bishop (Seal)
Jay Stephen Bishop

Vijaya L. Bishop (Seal)
Vijaya L. Bishop

02/13/2001-05105
11:52 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
006 CJ1 91.50

STATE OF ALABAMA

Shelby

COUNTY

General Acknowledgment

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Monty Kirk Bishop, Jay Stephen Bishop and Vijaya L. Bishop 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 10th day of February A.D., ~~X~~ 2001

2/25/2003

My Commission Expires:

Sandy J. Fichtmann
Notary Public

STATE OF ALABAMA)

COUNTY OF SHELBY)

EXHIBIT "A"

HEIRSHIP AFFIDAVIT

COME NOW the "Affiants", Jay Stephen Bishop of 103 Highway 97, Columbiana, Alabama 35051, Monty Kirk Bishop of 725 Morgan Street, Montevallo, Alabama 35115 and Tom Sullivan (a disinterested party) of 112 Mconey Road, Columbiana, Alabama 35051, and after first being duly sworn, said Affiants do hereby depose and say as follows:

1. The Affiants herein have personal knowledge of the facts stated herein, each Affiant is over the age of 19 years, of sound mind, and competent to execute this Affidavit.
2. On or about August 8, 1994, Stephen Clyde Bishop obtained the fee simple right, title and interest in and to certain real estate located in Shelby County, Alabama, with his warranty deed having been recorded at Instrument No. 1994-24853. The real estate conveyed by said warranty deed is described as follows:

Commence at the Southwest corner of the SW ¼ of SE ¼, Section 32, Township 21 South, Range 1 West, being found in place and documented by a survey by Horace Ray Edwards, Reg. C. E. & L. S. No. 9132 dated January 30, 1971; thence run in a Northerly direction along the West boundary line of said SW ¼ of SE ¼ a distance of 152.16 feet to a point, being the point of beginning of the parcel of land herein described; thence continue along the last described course for 217.84 feet to a point 30.0 feet Westerly from the centerline of County Highway No. 97; thence turn an angle of 157°36'57" right and run Southeasterly and parallel to said centerline of Highway 97, along a curve to the left with a radius of 197.73 feet and a central angle of 34°16'30" for an arc distance of 118.28 feet to a point; thence continue along a line 30 feet from and parallel to County Highway 97 along a tangent for 247.07 feet to a point; thence turn an angle of 94°25' right and run 60.00 feet to a point; thence turn an angle of 65°00'52" right and run 250.01 feet to the point of beginning. Said parcel is lying in the SW ¼ of SE ¼, Section 32, Township 21 South, Range 1 West and contains 0.74 acres.

3. Said Stephen Clyde Bishop, hereinafter designated as "decedent", died testate while residing in Shelby County, Alabama, on or about November 3, 2000, and at the time of his decease said decedent was not married.
4. Decedent, by and through his Last Will and Testament, devised the herein described realty to his two surviving sons. A true and correct copy of such

Will is attached hereto as **Exhibit "A-1"**, same of which is fully incorporated herewith. Decedent's Will has not been probated and no such probate is anticipated.

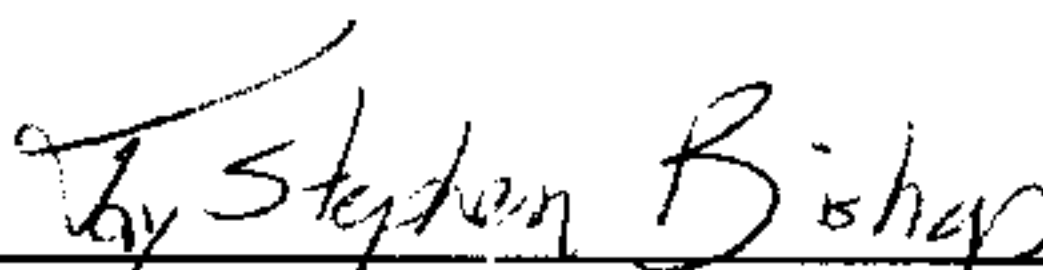
5. Said Affiants state that the above designated Decedent left surviving the following persons, as heir or otherwise interested in the estate:

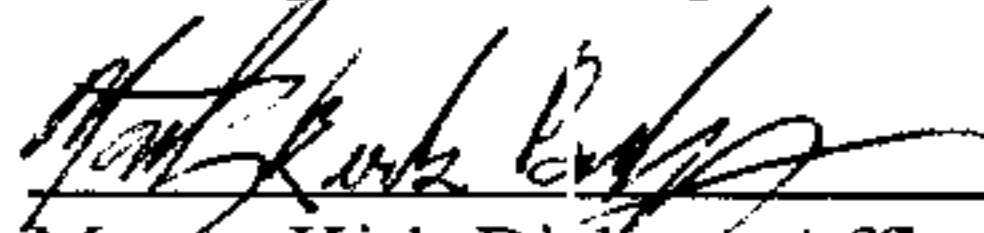
Jay Stephen Bishop, surviving son
103 Highway 97
Columbiana, AL 35051

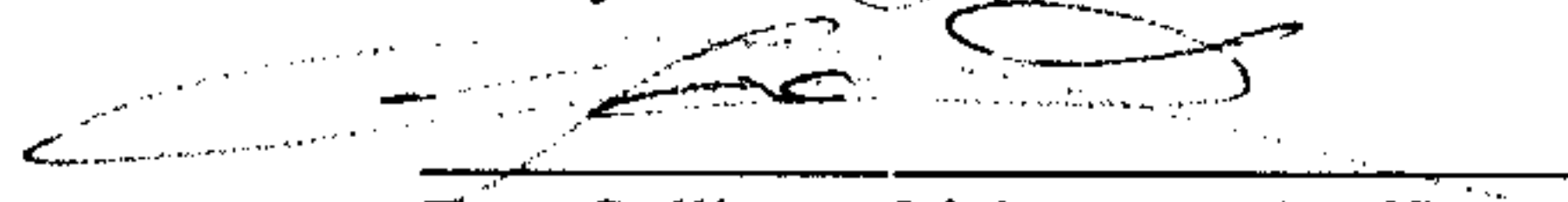
Monty Kirk Bishop, surviving son
725 Morgan Street
Montevallo, AL 35115

6. The Affiants further state that said Decedent left no other children, adopted or natural, and there are no children which predeceased said Decedent. Said surviving sons are over the age of 19 years, and of sound mind.
7. All debts and charges against the estate of decedent, have heretofore been paid and satisfied, to Affiants' knowledge, except as hereinafter designated.
8. There are no other persons or entities who claim any right, title or interest in and to the above described real estate, except for the U. S. Department of Agriculture, as Mortgagee of the heretofore described realty.

FURTHERMORE the Affiants saith naught.


Jay Stephen Bishop, Affiant


Monty Kirk Bishop, Affiant


Tom Sullivan, Disinterested Affiant

STATE OF ALABAMA)

SHELBY COUNTY)

Sworn to and subscribed before me on this the 26th day of February, 2001.

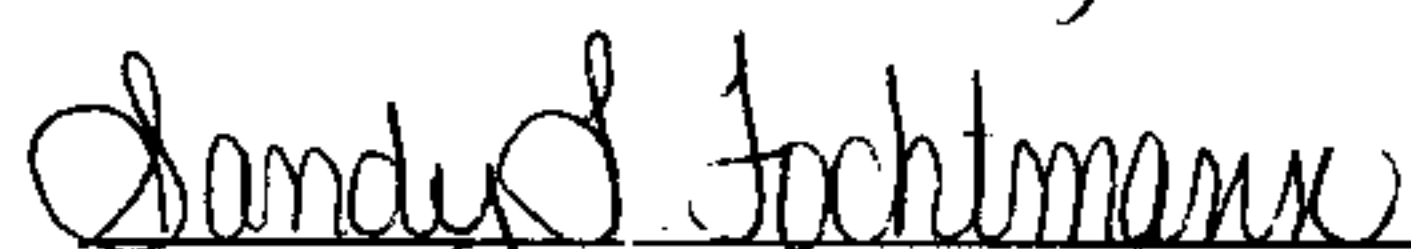

Sandy Jochtmann
Notary Public
My Commission Expires: 2/25/2003

EXHIBIT "A-1"

Last Will and Testament OF

STEPHEN CLYDE BISHOP

· STATE OF ALABAMA *

JEFFERSON COUNTY *

I, Stephen Clyde Bishop, of the County of Jefferson, State of Alabama, being of sound mind and disposing memory do hereby make, publish and declare this instrument as and for my Last Will and Testament, hereby revoking any and all Wills and Codicils heretofore made by me.

ARTICLE ONE

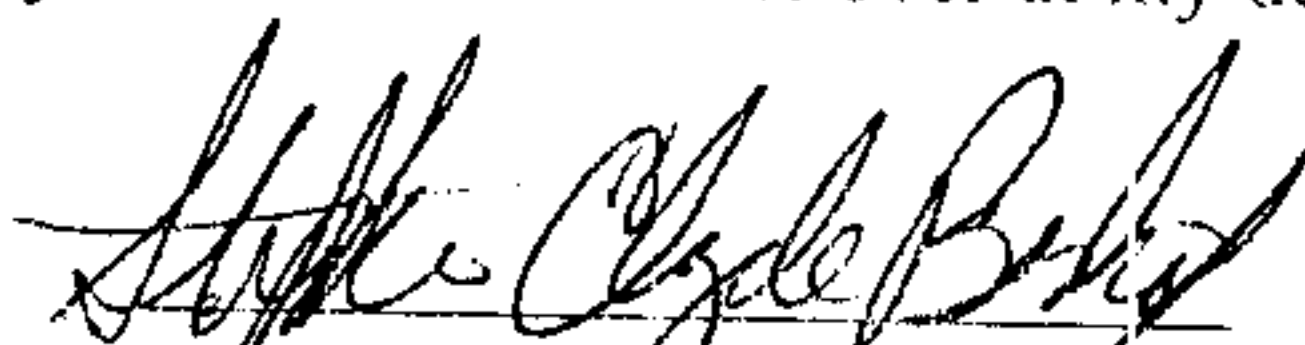
I direct that all of my legal debts, my funeral expenses, unpaid charitable pledges and the costs of administration of my estate be paid as soon as practicable after my death. My Executor may in his sole discretion, pay from my domiciliary estate all or any portion of the costs of ancillary administration and similar proceedings in other jurisdictions.

ARTICLE TWO

All the rest, residue and remainder of my property, whether real, personal or mixed and choses in action, wheresoever situated, that I may own or have the power of testamentary disposition over at my death, I give, devise and bequeath to my beloved children, Jay Stephen Bishop and Monty Kirk Bishop, to be theirs absolutely and in fee simple, they to share and share alike, per stirpes.

ARTICLE THREE

I appoint my beloved son, Jay Stephen Bishop to be the Executor of this my Last Will and Testament. I direct that as my Executor, he shall not be required to furnish any bond, nor file any inventory of property, or make any report or final settlement to any court of any proceedings hereunder. I further vest my said Executor with full power and authority to sell, transfer and convey any property, real or personal, which I may own or have control over at my death, without first


Stephen Clyde Bishop

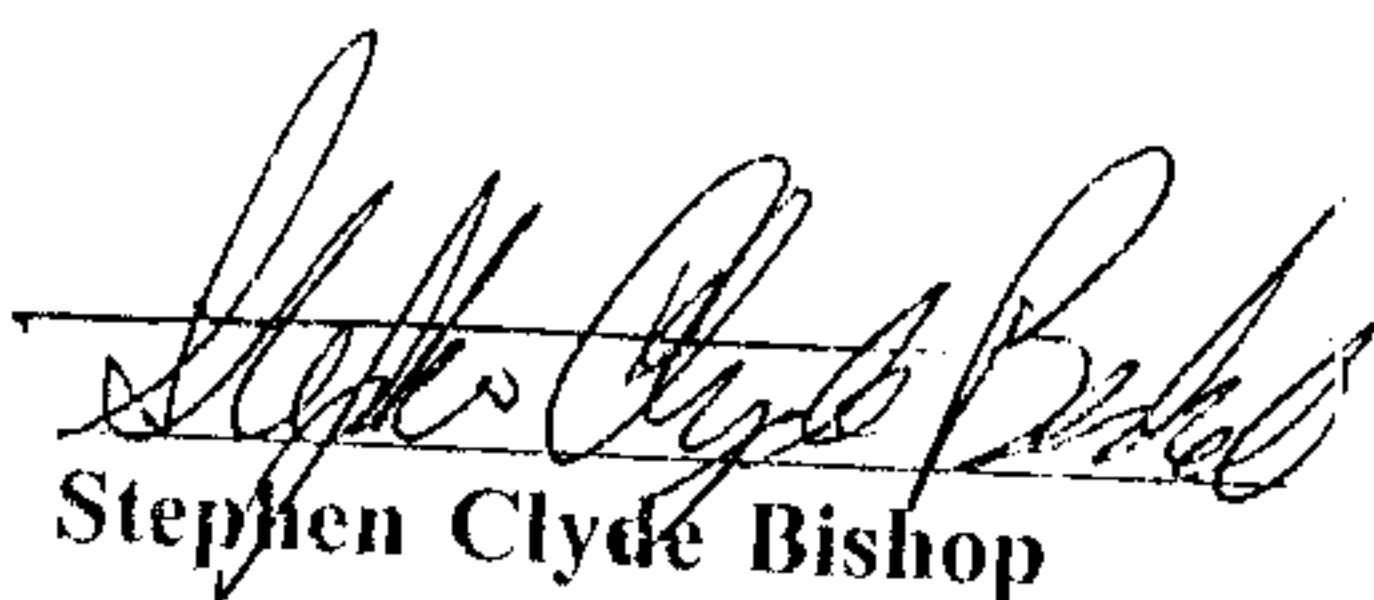


obtaining permission from any court, at such time and place and upon such terms and conditions including credit as my said Executor may determine and to do every other act and thing necessary for the complete administration of my estate.

In the event my son, Jay Stephen Bishop, shall predecease me or for any reason shall fail to qualify as Executor hereunder, then in such event, I appoint my beloved son, Monty Kirk Bishop, as alternate Executor of my Estate, and in such capacity shall possess and exercise all the powers and authority herein conferred on my Executor. I direct that my alternate Executor shall not be required to furnish any bond, nor file any inventory of the property coming into his hands, or make any report or final settlement to any court of any proceedings hereunder.

THE OMISSION on my part to devise and bequeath any part of my estate to any of my relatives and to anyone other than those named herein is purposely made by me.

I, Stephen Clyde Bishop, do sign my name to this instrument on this the 12th day of October, 1994, at Birmingham, Alabama, and first being duly sworn, do hereby declare to the undersigned authority that I sign and execute this instrument as my Last Will and Testament, and that I sign it willingly, that I execute it as my free and voluntary act for the purposes therein expressed, and that I am nineteen years of age or older, of sound mind, and under no constraint or undue influence.


Stephen Clyde Bishop

We, the undersigned witnesses, sign our names to this instrument, being first duly sworn, and do hereby declare to the undersigned authority that the Testator signs and executes this instrument as his Last Will and Testament, and that he signs it willingly and that each of us, in the presence and the hearing of the Testator, hereby signs this Will as witness to his signing, and that to the best of our knowledge, he is over the age of nineteen years, and of sound mind, and under no constraint or undue influence.

Barbara Meriwether of 1275 Center Point Road, Birmingham, Alabama

Jennifer Cramer of 1275 Center Point Road, Birmingham, Alabama
State of Alabama *

Jefferson County *

Subscribed, sworn to and acknowledged before me by Stephen Clyde Bishop, the Testator, and subscribed and sworn to before me by the above witnesses, Jennifer Cramer and Barbara Meriwether known to me, this the 12th day of October, 1994.

[Signature]
Notary Public

My commission expires: 6/22/95

Inst # 2001-05105

02/13/2001-05105
11:52 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
006 CJ1 91.50