

This instrument was prepared by:
Thomas F. Talty, Esq.
Costello, Hester & Parrish, P.C.
3716 South 5th Ave.
Birmingham, AL. 35222
No Title Search Performed

Send Tax Notice To:
Richard J. Kittinger
1612 Colesbury Circle
Birmingham, Alabama 35226
PID# 58-13-2-03-0-000-004

**WARRANTY DEED, JOINTLY FOR LIFE
WITH REMAINDER TO SURVIVOR**

**STATE OF ALABAMA
SHELBY COUNTY**

KNOW ALL MEN BY THESE PRESENTS, that for and in consideration of

Seventy Thousand and One Hundred and Ten (\$ 70,110.00) Dollars

to the undersigned GRANTOR, in hand paid by the GRANTEES herein, the receipt whereof is acknowledged, I, **Russell H. Nunnally**, an unmarried man, (hereinafter referred to as GRANTOR) do hereby grant, bargain, sell and convey unto **Richard J. Kittinger and, his wife, Jo S. Kittinger**, (herein referred to as GRANTEES) the following described real estate, situated in **Shelby County, Alabama**, to wit:

The SW ¼ of NW ¼ of Section 3, Township 20 South, Range 3 West, Shelby County, Alabama.

LESS AND EXCEPT:

Beginning at a 3 inch capped T. C. I. corner representing the Northwest corner of the SW ¼ of the NW ¼ of Section 3, Township 20 South, Range 3 West, Shelby County, Alabama and run thence Easterly along the North line of said quarter quarter Section a distance of 1,014.21 feet to a point in the centerline of the Cahaba River; thence turn a deflection angle of 149 deg. 58 min. 06 sec. to the right and run Southwesterly along the centerline of said river a distance of 128.45 feet to a point; thence turn a deflection angle of 08 deg. 49 min. 08 sec. to the left and continue Southwesterly along centerline of said river a distance of 342.94 feet to a point; thence turn a deflection angle of 06 deg. 30 min. 40 sec. to the left and continue Southwesterly along centerline of said river a distance of 154.22 feet to a point; thence turn a deflection angle of 21 deg. 54 min. 52 sec. to the left and continue Southwesterly along centerline of said river a distance of 93.62 feet to a point; thence turn a deflection angle of 22 deg. 55 min. 42 sec. to the left and run Southerly along the centerline of said river a distance of 154.84 feet to a point; thence turn a deflection angle of 42 deg. 17 min. 13 sec. to the right and run Southwesterly along centerline of said river a distance of 104.01 feet to a point; thence turn a deflection angle of 37 deg. 34 min. 46 sec. to the right and run West-Southwesterly along centerline of said river a distance of 73.77 feet to a point; thence turn a deflection angle of 65 deg. 32 min. 47 sec. to the left and run Southwesterly along the centerline of said river a distance of 168.47 feet to a point; thence turn a deflection angle of 17 deg. 25 min. 28 sec. to the right and run Southwesterly along centerline of said river a distance of 117.11 feet to a point; thence turn a deflection angle of 06 deg. 14 min. 03 sec. to the left and run Southwesterly along centerline of said river a distance of 181.23 feet to a point; thence turn a deflection angle of 36 deg. 37 min. 30 sec. to the right and run Southwesterly along centerline of said river a distance of 152.19

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feet to a point on the West line of said SW 1/4 of the NW 1/4 ; thence turn a deflection angle of 116 deg. 23 min. 55 sec. to the right and run Northerly along said West line of said quarter quarter Section a distance of 1,219.93 feet to the point of beginning; containing 12.69 acres; being situated in Shelby County, Alabama.

The above described real estate is comprised of 27.18 total acres, more or less, and is not the homestead of the GRANTOR. The property is subject to restrictions, building lines, easements, agreements and right of ways as same are filed of record. The property is also described in the previous deed in the chain of title recorded in Inst # 1998-29082 in the Office of the Judge of Probate of Shelby County, Alabama.

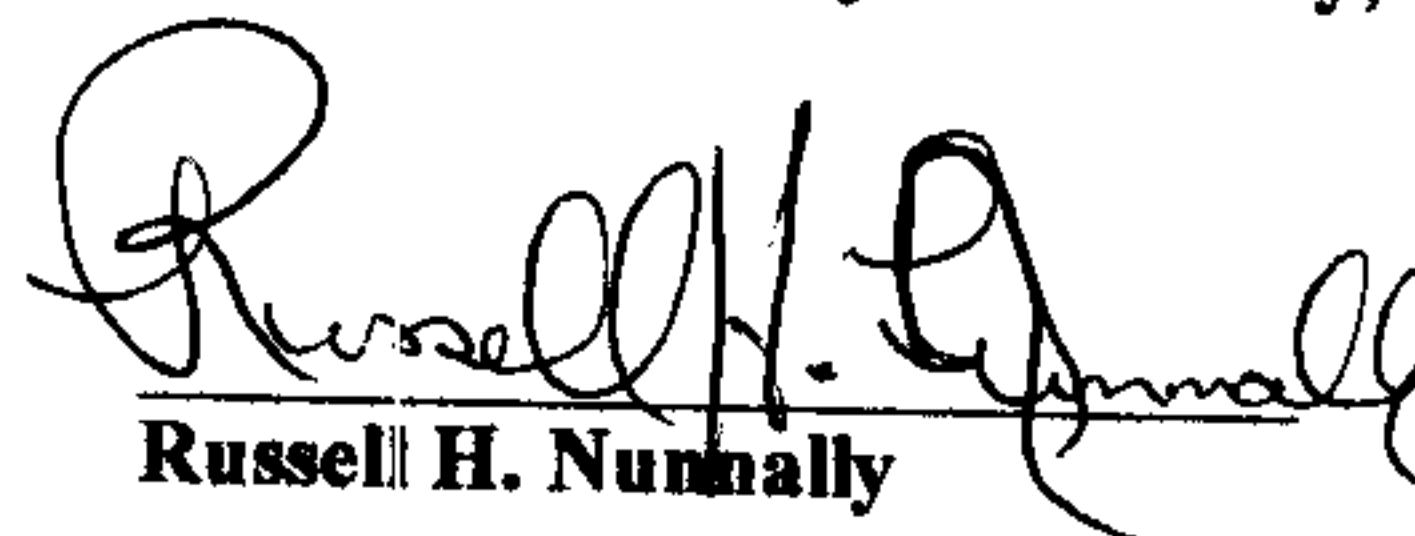
TOGETHER WITH all and singular, the rights and privileges, hereditaments, and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD unto 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 of such survivor 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, the entire interest in fee simple in and to the property described hereinabove shall pass to the surviving GRANTEE, and if one does not survive the other, then the heirs and assigns of the GRANTEES herein shall take as tenants in common.

And I, said GRANTOR, do for myself and for my heirs, executors, administrators and assigns covenant with the said GRANTEES, their heirs, executors, administrators 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; and that I will and my heirs, executors, administrators and assigns shall, warrant and defend the same to the said GRANTEES, their heirs, executors, administrators and assigns forever, against the lawful claims of all persons.

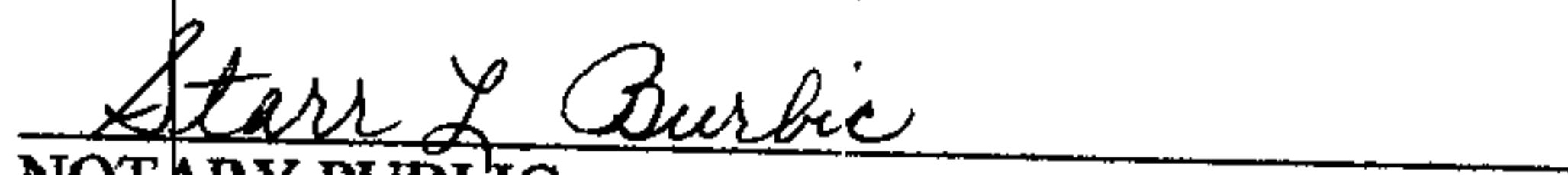
IN WITNESS WHEREOF, I have hereunto set my hand and seal, this 28th day of February, 2001.

STATE OF ALABAMA
JEFFERSON COUNTY


Russell H. Nunnally

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that, Russell H. Nunnally, an unmarried man, 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 the 28th day of February, 2001.


NOTARY PUBLIC
My commission expires: March 4, 2003

(AFFIX SEAL)

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