

This form provided by
SHELBY COUNTY ABSTRACT & TITLE CO., INC.
P. O. Box 752 - Columbiana, Alabama 35051
(205) 669-6204 (205) 669-6291 Fax (205) 669-3130

SEND TAX NOTICE TO:

(Name) R. Allen Henke
(Address) 580 LAKESHORE DR. 18
SHALBY, AL. 35043

This instrument was prepared by: **MIKE T. ATCHISON**
P. O. Box 822
Columbiana, AL 35051

Form 1-1-5 Rev. 4/99

WARRANTY DEED, JOINT TENANTS WITH RIGHT OF SURVIVORSHIP - Stewart Title Insurance Corp. of Houston, TX

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

That in consideration of Six Hundred Seventy Five Thousand and no/100----- DOLLARS

to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt whereof is acknowledged, we,

Carl D. Carter and wife, Tracy H. Carter
(herein referred to as grantors) do grant, bargain, sell and convey unto
R. Allen Henke; William P. Henke; and, Mary Jean Henke

(herein referred to as GRANTEES) as joint tenants, with right of survivorship, the following described real estate situated in
Shelby County, Alabama to-wit:

See Attached Exhibit "A" for Legal Description.

Subject to taxes for 2001 and subsequent years, easements, restrictions, rights of way
and permits of record.

\$95,000.00 of the above recited consideration was paid from a mortgage recorded
simultaneously herewith.

Inst # 2001-39447

09/12/2001-39447
01:45 PM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE
003 MSB 598.00

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, the entire interest in fee simple 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 (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 said 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 31st
day of August, 2001.

WITNESS:

(Seal)

(Seal)

(Seal)

Carl D. Carter (Seal)
Carl D. Carter
Tracy H. Carter (Seal)
Tracy H. Carter

STATE OF ALABAMA
Shelby COUNTY }

I, the undersigned authority, a Notary Public in and for said County, in said State,
hereby certify that Carl D. Carter and Tracy H. Carter
whose name s 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 31st day of August, A.D., 192001

My Commission Expires: 10/16/ 04

Notary Public.

EXHIBIT "A"
LEGAL DESCRIPTION

PARCEL 1:

Commence at the SW corner of Section 12, Township 21 South, Range 1 East, Shelby County, Alabama; thence North 88 degrees 0 minutes 2 seconds East along the South line of said section a distance of 1388.72 feet; thence North 44 degrees 53 minutes 4 seconds West a distance of 997.61 feet; thence North 44 degrees 46 minutes 55 seconds West a distance of 110.23 feet to the POINT OF BEGINNING; thence North 44 degrees 46 minutes 55 seconds West a distance of 470.16 feet to the southeasterly right of way of Shelby County Hwy. 61; thence North 36 degrees 34 minutes 40 seconds East along said right of way a distance of 375.45 feet to a point of curve to the left having a central angle of 08 degrees 08 minutes 04 seconds and a radius of 3040.00 feet; thence along the arc of said curve and along said right of way a distance of 431.60 feet; thence North 28 degrees 26 minutes 36 seconds East along said right of way a distance of 393.26 feet; thence North 89 degrees 3 minutes 30 seconds East and leaving said right of way a distance of 903.30 feet to the edge of Lay Lake; thence along the edge of Lay Lake a distance of 1235 feet, more or less (chord bearing South 16 degrees 32 minutes 38 seconds East, a chord distance of 1054.26 feet) to a point; thence South 64 degrees 16 minutes 50 seconds West a distance of 743.39 feet to a point; thence South 88 degrees 13 minutes 7 seconds West 845.67 feet to the point of beginning.

Subject to a 50-foot INGRESS, EGRESS AND UTILITY EASEMENT, more particularly described as follows:

Commence at the SW corner of Section 12, Township 21 South, Range 1 East, Shelby County, Alabama; thence North 88 degrees 0 minutes 2 seconds East along the South line of said section a distance of 1388.72 feet; thence North 44 degrees 53 minutes 4 seconds West a distance of 256.61 feet to the Point of beginning; thence 44 degrees 53 minutes 4 seconds along the southwesterly line of a 50-foot ingress, egress and utility easement lying 50 feet northeasterly of and parallel to described line; thence continue along the last described course a distance of 741.01 feet; thence North 44 degrees 46 minutes 55 seconds West a distance of 580.39 feet to the southeasterly right of way line of Shelby County Hwy. 61 and the END of said easement

PARCEL 2:

Commence at the SW corner of Section 12, Township 21 South, Range 1 East, Shelby County, Alabama; thence North 88 degrees 0 minutes 2 seconds East along the South line of said section a distance of 1388.72 feet; thence North 44 degrees 53 minutes 4 seconds West a distance of 256.61 feet to the POINT OF BEGINNING; thence continue along the last described course a distance of 741.01 feet; thence North 44 degrees 46 minutes 55 seconds West a distance of 110.23 feet; thence North 88 degrees 13 minutes 7 seconds East a distance of 845.67 feet; thence North 64 degrees 16 minutes 50 seconds East a distance of 743.39 feet to the edge of Lay Lake; thence along the edge of Lay Lake a distance of 198 feet more or less, (chord bearing South 0 degrees 1 minute 0 seconds East and a chord distance of 190.20 feet); thence South 63 degrees 52 minutes 2 seconds West a distance of 339.44 feet; thence South 44 degrees 52 minutes 28 seconds West a distance of 864.24 feet to the POINT OF BEGINNING.

PARCEL 3:

Commence at the SW corner of Section 12, Township 21 South, Range 1 East, Shelby County, Alabama; thence North 88 degrees 0 minutes 2 seconds East along the South line of said section a distance of 1388.72 feet to the POINT OF BEGINNING; thence North 44 degrees 53 minutes 4 seconds West a distance of 256.61 feet; thence North 44 degrees 52 minutes 28 seconds East a distance of 864.24 feet; North 63 degrees 52 minutes 2 seconds East a distance of 339.44 feet to the edge of Lay Lake; thence along the edge of Lay Lake a distance of 198 feet, more or less, (chord bearing South 25 degrees 54 minutes 18 seconds East and a chord distance of 191.33 feet); thence South 66 degrees 48 minutes 56 seconds West and leaving said edge of Lay Lake a distance of 340.38 feet; thence South 23 degrees 43 minutes 25 seconds East a distance of 390.00 feet to a point of curve to the right having a central angle of 18 degrees 33 minutes 12 seconds and a radius of 410.00 feet; thence along the arc of said curve a distance of 132.76 feet; thence South 5 degrees 10 minutes 14 seconds East a distance of 128.50 feet; thence South 88 degrees 0 minutes 2 seconds West a distance of 706.02 feet to the POINT OF BEGINNING.

Together with a non-exclusive 50-foot INGRESS, EGRESS AND UTILITY EASEMENT, more particularly described as follows:

Commence at the SW corner of Section 12, Township 21 South, Range 1 East, Shelby County, Alabama; thence NOrth 88 degrees 0 minutes 2 seconds East along the South line of said section a distance of 1388.72 feet; thence North 44 degrees 53 minutes 4 seconds West a distance of 256.61 feet to the Point of beginning; thence 44 degrees 53 minutes 4 seconds along the southwesterly line of a 50-foot ingress, egress and utility easement lying 50 feet northeasterly of and parallel to described line; thence continue along the last described course a distance of 741.01 feet; thence North 44 degrees 46 minutes 55 seconds West a distance of 580.39 feet to the southeasterly right of way line of Shelby County Hwy. 61 and the END of said easement

According to the survey of Rodney Shiflett, dated August 16, 2001.

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