

Send tax notice to:  
James R. England

This instrument prepared by:  
James R. Moncus, Jr., LLC  
Attorney at Law  
1313 Alford Avenue  
Birmingham, AL 35226

STATE OF ALABAMA  
SHELBY COUNTY

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of One Hundred Twenty Thousand and no/100 Dollars (\$120,000.00), in hand paid to the undersigned, James D. Phillips and wife, Carla W. Phillips, (hereinafter referred to as the "Grantor") by James R. England and wife, Karen J. England, (hereinafter referred to as the "Grantee"), the receipt and sufficiency of which is hereby acknowledged, the Grantor does, by these presents, grant, bargain, sell, and convey unto the Grantee as joint tenants with right of survivorship, the following described real estate situated in Shelby County, Alabama, to-wit:

**SEE ATTACHED EXHIBIT "A"**


SUBJECT TO:

1. Ad valorem taxes due and payable October 1, 2002.
2. All restrictions, easements, Rights of parties in possession, encroachments, liens for services, labor, or materials, taxes or special assessments, building lines.
3. Easements, Encroachments, rights of ways, building set back lines, as shown on recorded plat.

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 Grantees, their heirs, executors, administrators and assigns, that I am (we are) lawfully seized in fee simple of said premises, that they are free from all encumbrances except as aforesaid, that I (we) have good right to sell and convey the same as aforesaid, and that I (we) will, and my (our) successors and assigns shall warrant and defend the same to the 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 on this the 24th day of October, 2001.

  
JAMES D. PHILLIPS

  
CARLA W. PHILLIPS

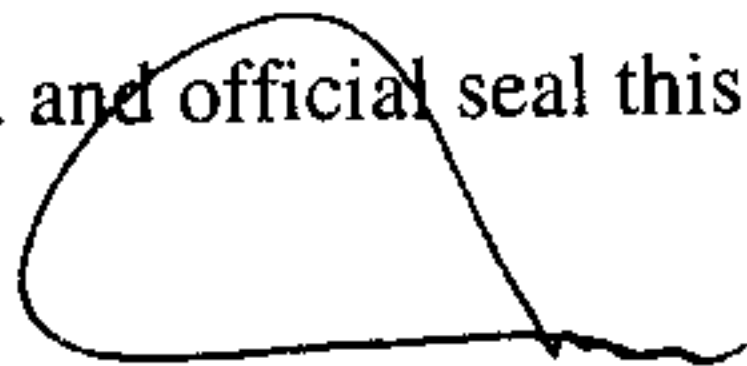
STATE OF ALABAMA  
JEFFERSON COUNTY

11/06/2001-47865  
09:35 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
003 CH 137.00

Inst # 2001-47865  
Inst # 2001-47865

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that James D. Phillips and wife, Carla W. Phillips, whose names are signed to the foregoing instrument and who are known to me, acknowledged before me on this day that, being informed of the contents of the instrument, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 24<sup>th</sup> day of October, 2001.



\_\_\_\_\_  
Notary Public

[NOTARIAL SEAL]

My Commission expires: 2-23-04

**EXHIBIT "A"**

Lot 1 of Lakeview Family Subdivision, approximately 5.24 acres as recorded in Book 27, Page 136 of Probate Records.

Better Described as follows:

Commence at the Southwest corner of the Northwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 29, Township 19 South, Range 1 West, and run South 89 degrees 43 minutes 04 seconds East for 305.00 feet; to the beginning point; thence run South 89 degrees 43 minutes 04 seconds East for 528.00 feet; thence run North 00 degree 16 minutes 56 seconds East for 265.00 feet; thence run North 40 degrees 34 minutes 39 seconds West for 264.44 feet; thence run North 89 degrees 43 minutes 04 seconds West for 355.00 feet; thence run South 00 degrees 16 minutes 56 seconds West for 465.00 feet to the beginning point.

Together with:

An easement; for a private road as described in instrument recorded in Book 307, Page 407, and amended by instrument recorded in Book 309, Page 193 of Probate Records; and a nonexclusive easement to use the roadway presently in existence over a strip of land of the width of 30 feet which extends Westwardly from the paved Florida Short Route (old U.S. 280) to a point on the East line of the Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 29, Township 19 South, Range 1 West, said thirty-foot strip of land lying 20 feet North of and 10 feet South of the line dividing said Sections 20 and 29.

An easement (recorded as Inst. No. 2000-16981 of Probate Record); for purposes of ingress and egress, vehicular traffic, and the installation of utilities, sewer, water and telephone; upon the Southernmost edge, running 30 feet Northerly in width and running the length of the property described as:  
The Southeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of Section 20, Township 19 South, Range 1 West.

Also:

That portion of the Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 29, Township 19 South, Range 1 West, that is North of the South line of a private road that runs approximately down the North line of said quarter-quarter Section all in Shelby County, Alabama.

An easement for a private road as recorded on the Lakeview Family Subdivision as recorded in Book 27, Page 136 of Probate Records.

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