

This Instrument was prepared by:

R. Shan Paden  
PADEN & PADEN  
5 Riverchase Ridge, Suite 100  
Hoover, AL 35244

Send Tax Notice to:

Kenneth D. Ellis  
1919 Cahaba Valley Road  
Indian Springs, AL 35124

STATE OF ALABAMA     )

COUNTY OF SHELBY     )

### WARRANTY DEED

**Know All Men by These Presents:** That, Whereas, ROBERT H. ELLIS, departed this life testate; and

Whereas, the Last Will and Testament of ROBERT H. ELLIS named MARIANNA M. ELLIS the Executrix of the Estate; and

Whereas, MARIANNA M. ELLIS, a widow, was granted Letters Testamentary as Executrix of the Estate of ROBERT H. ELLIS, by the Judge of Probate of Shelby County, Alabama, on September 18, 2000, in Shelby County Probate Case No. #40-170 and

Whereas, MARIANNA M. ELLIS as Executrix of the Estate was charged with the responsibility of apportioning the property between the ROBERT H. ELLIS FAMILY TRUST and herself as legatees under the Last Will and Testament of ROBERT H. ELLIS, deceased, and

Now, Therefore, in consideration of the Premises, MARIANNA M. ELLIS, in her capacity as Executrix of the Will and Estate of ROBERT H. ELLIS, deceased, does by these presents, grant, bargain, sell and convey unto the ROBERT H. ELLIS FAMILY TRUST (GRANTEE), the following described real estate, situated in Shelby County, Alabama, to-wit:

LOT 1, IN BLOCK 1, ACCORDING TO THE SURVEY OF CHEROKEE HILLS,  
AS RECORDED IN MAP BOOK 5, PAGE 3, IN THE PROBATE OFFICE OF  
SHELBY COUNTY, ALABAMA.

#### SUBJECT TO:

1. Taxes for the year beginning October 1, 2000 which constitutes a lien but are not yet due and payable until October 1, 2001.
2. Existing easements, restrictions, set-back lines, rights of ways, declarations and reservations, and any limitations, if any, of record.

THIS DEED HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE SEARCH.

**TO HAVE AND TO HOLD** unto THE ROBERT H. ELLIS FAMILY TRUST its successors and assigns, forever.

And I do on behalf of the Estate of Robert H. Ellis, deceased, for ourselves and for our heirs, executors, and administrators covenant with the said GRANTEE, its successors and assigns, that the Estate of Robert H. Ellis, deceased, is lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that said Estate has a good right to sell and convey the same as aforesaid; that the Estate will and our heirs, executors and administrators shall warrant and defend the same to the said GRANTEE, its successors and assigns forever, against the lawful claims of all persons.

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It is understood and agreed that wherever in this instrument the singular number is used, it applies to the plural if and when necessary and that when the plural is used, the plural likewise applies to the singular if and when necessary.

In Witness Whereof, the undersigned, MARIANNA M. ELLIS, in her capacity as Executrix of the Estate of ROBERT H. ELLIS, deceased, has hereunto subscribed her name and seal, on this the 8<sup>th</sup> day of May, 2001.

Marianna M. Ellis  
MARIANNA M. ELLIS as Executrix of the Estate  
of ROBERT H. ELLIS, deceased

STATE OF ALABAMA     )

COUNTY OF SHELBY     )

#### ACKNOWLEDGMENT

I, Kim M. Foster, a Notary Public, in and for said County, in said State, hereby certify that MARIANNA M. ELLIS, whose name as Executrix of the Estate of ROBERT H. ELLIS, Deceased, 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 she, in her capacity as such Executrix executed the same voluntarily on the day the same bears date.

Given under my hand this the 8<sup>th</sup> day of May, 2001.

Kim M. Foster  
Notary Public

My commission expires: 9-16-02

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