

This Instrument was prepared by:

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Send Tax Notice to:

Kenneth D. Ellis
1919 Cahaba Valley Road
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STATE OF ALABAMA)

COUNTY OF SHELBY)

Inst # 2002-13949
03/25/2002-13949
02:27 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 CH 15.00

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:

FROM THE NORTHEAST CORNER OF THE NE 1/4 OF THE SE 1/4 OF SECTION 22, TOWNSHIP 19 SOUTH, RANGE 2 WEST, RUN SOUTHERLY ALONG THE EAST BOUNDARY LINE OF SAID 1/4-1/4 SECTION FOR 400.00 FEET TO THE POINT OF BEGINNING OF THE LAND HEREIN DESCRIBED; THENCE TURN AN ANGLE OF 97 DEGREES 00 MINUTES 30 SECONDS TO THE RIGHT AND RUN NORTHWESTERLY 255.25 FEET; THENCE TURN AN ANGLE OF 95 DEGREES 42 MINUTES TO THE LEFT AND RUN SOUTHERLY 40.0 FEET; THENCE TURN AN ANGLE OF 31 DEGREES TO THE LEFT AND RUN SOUTHEASTERLY 279 FEET, MORE OR LESS, TO THE CENTER OF BISHOP CREEK; THENCE RUN UP ALONG THE CENTER OF SAID CREEK WITH THE MEANDERINGS THEREOF FOR 300 FEET; MORE OR LESS, TO THE INTERSECTION OF THE CENTER OF SAID CREEK AND THE EAST BOUNDARY LINE OF THE NE 1/4 OF THE SE 1/4 OF SECTION 22, TOWNSHIP 19 SOUTH, RANGE 2 WEST; THENCE RUN NORTHERLY ALONG THE EAST BOUNDARY LINE OF SAID 1/4-1/4 SECTION 470 FEET, MORE OR LESS, TO THE POINT OF BEGINNING. THIS LAND BEING A PART OF THE NE 1/4 OF THE SE 1/4 OF SECTION 22, TOWNSHIP 19 SOUTH, RANGE 2 WEST. SITUATED IN SHELBY COUNTY, ALABAMA.

Together with a non-exclusive easement described as follows, to-wit:

THAT CERTAIN PERPETUAL EASEMENT AND RIGHT-OF-WAY 50 FEET IN WIDTH INTO THE PROPERTY ON AND OVER THE EXISTING ROAD WHICH RUNS TO THE PROPERTY OWNED BY ROBERT H. ELLIS AND MARIANNA M. ELLIS.

EASEMENT IS LOCATED IN THE NE ¼ OF THE SE ¼ OF SECTION 22,
TOWNSHIP 19 SOUTH, RANGE 2 WEST.

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.

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 8th 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 8th day of May, 2001.

Kim M. Foster
Notary Public

My commission expires: 9-16-02

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