

Send Tax Notice To:

Charles H. Ellis and Jane H. Ellis

Holly Ellis Whatley

91 Oak View Drive

Indian Springs, Alabama 35124

This Instrument Prepared By:

Frank M. Bainbridge
BAINBRIDGE, MIMS, ROGERS & SMITH
The Luckie Bldg., Suite 415
Birmingham, AL 35223

WARRANTY DEED, JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

STATE OF ALABAMA)

COUNTY OF SHELBY)

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of One Dollar (\$1.00) in hand paid by the Grantees herein, the receipt whereof is acknowledged, and love and affection the undersigned Grantor, Eleanor B. Hester, a single person, being the widow of James D. Hester, deceased, (herein referred to as Grantor), does grant, bargain, sell and convey unto Charles H. Ellis an undivided 2.10% interest, and unto Jane H. Ellis an undivided 2.10% interest (herein referred to as Grantees), as joint tenants, with right of survivorship, the following described real estate situated in Shelby County, Alabama, to-wit:

Commence on the South side of Kelleys Creek where the Section line between Sections 14 and 23, Township 18, Range 2 East crosses said creek, thence run up said creek to the mouth of first branch; thence parallel with said branch to the top of the mountain; thence on top of mountain to the section line between Sections 14 and 23; thence East along Section Line to the point of beginning.

Also the NW 1/4 of NE 1/4 and all of the NE 1/4 of NE 1/4 of Section 23, Township 18 South, Range 2 East, lying West of Kelleys Creek, and all of the SE 1/4 of NE 1/4 of Section 23, Township 18, Range 2 East, lying between Kelleys Creek and Muddy Branch.

Also begin at the NE corner of the NW 1/4 of Section 23, Township 18 South, Range 2 East and run South 4° to a branch; thence up said branch 16.50 chains; thence North 35° West 13 chains to top of mountain; thence along the top of mountain in an Easterly and Northeasterly direction to a point which is 7.90 chains East of the West line of said NE 1/4 of NW 1/4 of said Section 23, and 8.20 chains South of the North line of said Forty acres; thence North along East line of Coosa River Newsprint land 8.20 chains to the North line of said forty; thence East to point of beginning.

It is the understanding and intent of the parties hereto that the property described herein includes as a part thereof the seven (7) acre tract described in the deed from James D. Hester and Eleanor B. Hester to John W. Ogletree and Carrie B. Ogletree recorded in Book 310, Page 183, in the Probate Office of Shelby County, Alabama.

By this deed Grantor conveys an undivided 4.20% interest unto the Grantees so that upon delivery of this deed Holly Ellis Whatley owns 20.82% undivided interest, Charles H. Ellis owns 39.59% undivided interest, Jane H. Ellis owns 39.59% undivided interest and the Grantor retains no interest in the above described property.

TO HAVE AND TO HOLD unto the said Grantees and Holly Ellis Whatley as joint tenants, with right of survivorship, their heirs and assigns, forever; it being the intention of the parties to this

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conveyance, that (unless the joint tenancy hereby created is severed or terminated during the joint lives of the Grantees herein and Holly Ellis Whatley), in the event one of said parties survives the other, the entire interest in fee simple shall pass to the one surviving party, together with every contingent remainder and right of reversion.

And I do for myself and for my heirs, executors, and administrators covenant with the said Grantees, their heirs 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; that I will and my 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, I have hereunto set my hand and seal, this the 29th day of March, 2002.

Eleanor B. Hester
Eleanor B. Hester

STATE OF ALABAMA)
)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Eleanor B. Hester, 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, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 29th day of March, 2002.

Janet P. Easterling
Notary Public
My Commission Expires: 8-11-03

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