

INSTRUMENT PREPARED WITHOUT BENEFIT OF TITLE SEARCH

20020603000259990 Pg 1/5 24.00  
Shelby Cnty Judge of Probate, AL  
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This instrument was prepared by  
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Attorney at Law  
P.O. Box 119 205/665-5102  
Montevallo, AL 35115-0091 205/665-5076

Send Tax Notice to:  
(Name) Anthony Edward White  
(Address) 317 Mardis Lane  
Montevallo, AL 35115

\*\*\*MINIMUM VALUE: \$1,000.00\*\*\*

Warranty Deed

STATE OF ALABAMA  
SHELBY COUNTY

KNOW ALL MEN BY THESE PRESENTS,

That in consideration of **ONE DOLLAR (\$1.00) AND OTHER GOOD AND VALUABLE CONSIDERATION** to the undersigned Grantor (whether one or more), in hand paid by the Grantee herein, the receipt whereof is acknowledged, I or we, **Billy Franklin White, a married man**, (herein referred to as Grantor, whether one or more), grant, bargain, sell and convey unto **Anthony Edward White**, (herein referred to as Grantee, whether one or more), the following described real estate, situated in **Shelby County, Alabama**, to-wit:

**That part of the Southeast quarter of the Northwest quarter of Section 1, Township 22, Range 4 more particularly described as follows: Begin at the center of the Dogwood Road on the East side of the Macedonia Church Road and run a distance of 219 feet to the Section line on the North side; thence West 337 feet; thence South 237 feet to the Dogwood-Pearidge Road; thence East 300 feet to the Macedonia Church Road which is the point of beginning, containing one and one fourth acre more or less.**

**REFERENCE IS HEREBY MADE TO THE HEIRSHIP AFFIDAVIT ATTACHED HERETO AS EXHIBIT "A" AND THE LAST WILL AND TESTAMENT OF CHARLES EDWARD WHITE, DECEASED, HERETO ATTACHED AS EXHIBIT "B", WITH BOTH EXHIBITS BEING INCORPORATED HERewith, AS THOUGH FULLY SET OUT HEREIN. SUCH EXHIBITS SERVE AS EVIDENCE OF THE DEVOLUTION OF TITLE TO THE GRANTOR HEREIN, BILLY FRANKLIN WHITE, AND FURTHER EVIDENCE HIS AUTHORITY TO CONVEY THE ABOVE DESCRIBED PROPERTY TO THE GRANTEE HEREIN, ANTHONY EDWARD WHITE.**

**THE PROPERTY HEREIN CONVEYED DOES NOT CONSTITUTE THE HOMESTEAD OF GRANTOR, NOR THAT OF HIS SPOUSE, NEITHER IS IT CONTIGUOUS THERETO.**

**SOURCE OF TITLE: WARRANTY DEED RECORDED AT REAL BOOK 313, PAGE 765, IN THE OFFICE OF THE PROBATE JUDGE, SHELBY COUNTY, ALABAMA.**

TO HAVE AND TO HOLD, to the said GRANTEE, his, her or their heirs and assigns forever.

And I (we) do, for myself (ourselves) and for my (our) heirs, executors and administrators covenant with the said grantee, his, her or 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 stated 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 grantee, his, her or their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, I (we) have hereunto set my (our) hand(s) and seal(s), this 31<sup>st</sup> day of May, 2002.

Billy Franklin White  
BILLY FRANKLIN WHITE

STATE OF ALABAMA )  
COUNTY OF SHELBY )

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that **Billy Franklin White**, 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, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 31<sup>st</sup> day of May, 2002.

Samuel J. Fichtmann  
Notary Public  
My commission expires: 2/25/2003

STATE OF ALABAMA       )  
SHELBY COUNTY        )

**HEIRSHIP AFFIDAVIT**  
**(Exhibit "A")**

COME NOW Billy Franklin White and Anthony Edward White, as "Affiants" herein, and after first having been duly sworn, said Affiants do hereby depose and say as follows:

1. The Affiants herein have personal knowledge of the facts stated herein, and are particularly familiar with the family history of Charles Edward White, hereinafter designated as "Decedent". The Decedent, Charles Edward White, died testate, while residing in Shelby County, Alabama on April 27, 2002.
2. At the time of said Decedent's death, said Decedent was seized of real estate situated in Shelby County, Alabama, hereinafter described as follows:

That part of the Southeast quarter of the Northwest quarter of Section 1, Township 22, Range 4 more particularly described as follows: Begin at the center of the Dogwood Road on the East side of the Macedonia Church Road and run a distance of 219 feet to the Section line on the North side; thence West 337 feet; thence South 237 feet to the Dogwood-Pearidge Road; thence East 300 feet to the Macedonia Church Road which is the point of beginning, containing one and one fourth acre more or less.

3. Said Decedent was not survived by a spouse, and Affiants further state that said Decedent left surviving the following persons as heirs-at-law, or otherwise interested in Decedent's estate:

Anthony Edward White, surviving son  
317 Mardis Lane  
Montevallo, Alabama 35115

Billy Franklin White, surviving brother  
P. O. Box 1381  
(Foxvalley Apartments, No. 50)  
Alabaster, Alabama 35007

Decedent was also survived by James Earl White, a brother, and was predeceased by W. F. White, a brother. Anthony Edward White and Billy Franklin White are both over the age of 42 years, and of sound mind.

4. Anthony Edward White was the only child ever fathered by the Decedent, and Decedent never adopted any children.
5. Within the Last Will and Testament of the Decedent, same of which is attached hereto as **Exhibit "B"**, the Decedent did devise and bequeath all of his real, personal and mixed property, of whatever nature and wherever situated, unto Billy Franklin White. Pursuant to the Warranty Deed which immediately precedes this Affidavit, said Billy Franklin White has conveyed all of his right, title and interest in and to the above described real estate to the Decedent's son, Anthony Edward White.
6. Neither of the Affiants herein anticipate that the Last Will and Testament of the Decedent will be probated, as there are no debts or charges against the estate of said Decedent.

  
BILLY FRANKLIN WHITE

STATE OF ALABAMA     )  
SHELBY COUNTY         )

Sworn to and subscribed before me, a Notary Public in and for said state and  
county, this 31<sup>st</sup> day of May, 2002.

Danby G. Fochtman  
Notary Public  
My Commission Expires: 2/25/2003

Anthony Edward White  
ANTHONY EDWARD WHITE

STATE OF ALABAMA     )  
SHELBY COUNTY         )

Sworn to and subscribed before me, a Notary Public in and for said state and  
county, this 30<sup>th</sup> day of May, 2002.

Danby G. Fochtman  
Notary Public  
My Commission Expires: 2/25/2003

*EXHIBIT "B"*

STATE OF ALABAMA }  
STEELE COUNTY }

KNOW ALL MEN BY THESE PRESENTS That I, Charles Edward White, being of a sound and disposing mind and memory and over the age of twenty-one years, do hereby make, publish, and declare this my last will and testament, hereby revoking all wills, testaments, and codicils heretofore made by me, viz:

ITEM ONE

I direct that all my just debts and the expenses of my last illness and funeral be paid as soon after my death as may be conveniently possible.

ITEM TWO

All the rest, residue, and remainder of the property of which I may die seized or to which I may be entitled at the time of my death, real, personal, and mixed, of whatever nature and wherever situated, I give, devise, and bequeath unto my brother, Billy Franklin White, to be his own absolutely.

In making this, my last will and testament, I am aware of my son, Anthony Edward White, and my two other brothers, W. F. White, and James Earl White, however they do not have much to do with me and I therefore leave them my affection, but I do not want any of them to take anything under this will, and the same applies to my parents.

ITEM THREE

I nominate and appoint my brother, Billy Franklin White, to be executor of this, my last will and testament, and direct that he not be required to post bond, to file an inventory, or to make any accounting to or settlement with any court as such executor.

IN WITNESS WHEREOF I have this *23* day of *September* 1978, made, published, and declared this to be my last will and testament and subscribed my name hereto in the presence of *Melford O. Cleveland and Sarah Head* and they, at my request and in my presence and the presence of each other, have hereunto subscribed their names as witnesses hereof.

*Charles Edward White*

(2)

We, Melford O. Cleveland and Sarah Head  
do hereby certify that Charles Edward White, whose name is  
subscribed to the foregoing instrument, and who is known to us,  
did make, publish, and declare the foregoing to be his last  
will and testament and subscribe his name thereto in our  
presence this 23rd day of September, 1978, and we, at his  
request and in his presence and the presence of each other,  
have hereunto subscribed our names as witnesses thereof.

Melford O. Cleveland

Sarah Head

\_\_\_\_\_

Charles Edward White