

INSTRUMENT PREPARED WITHOUT BENEFIT OF TITLE SEARCH

This instrument was prepared by

Mitchell A. Spears

Attorney at Law

P.O. Box 119

Montevallo, AL 35115-0091

205/665-5102

205/665-5076



20020801000357460 Pg 1/4 34.50
Shelby Cnty Judge of Probate, AL
08/01/2002 10:01:00 FILED/CERTIFIED

Send Tax Notice to.

(Name) Hollie C. Cost and Andrew L. Cost

(Address) 1240 Oak Street

Montevallo, AL 35115

Warranty Deed, Jointly For Life With Remainder To Survivor

STATE OF ALABAMA

SHELBY COUNTY

KNOW ALL MEN BY THESE PRESENTS,

That in consideration of **ONE HUNDRED THIRTY ONE THOUSAND SIX HUNDRED and 00/100 (\$131,600.00)** to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt whereof is acknowledged, we,

JONI ELIZABETH LANIER-NABORS and husband, BENJAMIN GEORGE LANIER-NABORS, by and through his Attorney-in-Fact, JON F. LANIER

(herein referred to as grantors) do grant, bargain, sell and convey unto

HOLLIE C. COST and ANDREW L. COST

(herein referred to as GRANTEES for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, the following described real estate situated in **SHELBY** County, Alabama to-wit:

Lot 2, Block 0, according to Lyman's Addition to the Town of Montevallo, Alabama, as recorded in Map Book 3, Page 27, in the Office of the Judge of Probate of Shelby County, Alabama.

SUBJECT TO:

- **Taxes for the year 2002, and subsequent years, not yet due and payable.**
- **Any prior reservation or conveyance of minerals of every kind and character, including, but not limited to, oil, gas, sand, and gravel in, on, and under subject property.**
- **Subject to matters shown on recorded map at Map Book 3, Page 27 including easements, rights of way, building setback lines, and restrictions located on insured premises.**

SUBJECT TO PURCHASE MONEY FIRST MORTGAGE IN FAVOR OF THE PEOPLES BANK AND TRUST COMPANY, ITS SUCCESSOR AND/OR ASSIGNS, AS THEIR INTEREST MAY APPEAR, IN THE SUM OF \$117,124.00 EXECUTED EVEN DATE HEREWITH.

REFERENCE IS HEREBY MADE TO THE RESTRICTIVE POWER OF ATTORNEY HERETO ATTACHED AS EXHIBIT "A", GRANTING AUTHORITY TO JON F. LANIER TO EXECUTE THIS WARRANTY DEED FOR CONVEYANCE PURPOSES.

TO HAVE AND TO HOLD to the said GRANTEES for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, and to the heirs and assigns for such survivor forever.

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

IN WITNESS WHEREOF, we have hereunto set our hand(s) and seal(s), this 3rd day of July, 2002.

JONI ELIZABETH LANIER-NABORS

BENJAMIN GEORGE LANIER-NABORS
(by and through his Attorney-in-Fact,
JON F. LANIER)

STATE OF ALABAMA)

SHELBY COUNTY)

General Acknowledgment

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that **Joni Elizabeth Lanier-Nabors** 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 3rd day of July, 2002.

2/25/2003
My Commission Expires

Notary Public

STATE OF ALABAMA)
SHELBY COUNTY)

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that **Jon F. Lanier** whose name as **Attorney-in-Fact for Benjamin George Lanier-Nabors**, 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, as such Attorney-in-Fact and with full authority, executed the same voluntarily on the day same bears date.

Given under my hand and official seal, this the 31st day of July, 2002.

2/25/2003

My Commission Expires

Shirley J. Fochtmann
Notary Public

STATE OF ALABAMA
COUNTY OF SHELBY

RESTRICTIVE POWER OF ATTORNEY

I, **BENJAMIN GEORGE LANIER-NABORS**, hereinafter designated as **"Principal"**, as a resident of **SHELBY COUNTY, ALABAMA**, do hereby constitute and appoint, **JON F. LANIER**, hereinafter designated as **"Attorney-in-Fact"**, for **SHELBY County, Alabama**, and all other Counties and States, including foreign countries, wherein the need may arise, to serve as he may deem appropriate, for the following purposes:

To sign the name of said Attorney in Fact as surety to, and to execute, seal and acknowledge any and all transfer or conveyance instruments and other documents, including the execution of deeds for the purpose of transferring or conveying any right, title or interest which I may own in and to real estate located within Shelby County, Alabama, and to do and perform any and all other acts which may accrue to my interest, within the discretion of said Attorney in Fact, **ONLY AS RELATING TO THE CONVEYANCE OF REAL ESTATE DESCRIBED AS FOLLOWS:**

Lot 2, Block O, according to Lyman's Addition to the Town of Montevallo, Alabama, as recorded in Map Book 3, Page 27, in the Office of the Judge of Probate of Shelby County, Alabama.

This instrument shall be construed as a Restrictive Power of Attorney, and shall vest in said Attorney in Fact full power and authority to do, conduct and perform all personal and business matters of whatever nature, which I have the power and authority to do, conduct and perform for myself, as hereinabove designated. The herein designated Attorney in Fact shall have the authority to act in the performance or undertaking of any of the above designated duties or tasks, in regard to said real estate conveyance.

The above designated Principal hereby specifically confers upon said Attorney in Fact the authority to execute any and all waivers, disclosures, assignments, settlement statements, or any and all other documents for which the need may arise on behalf of myself, the Principal herein, and for my benefit, to any other party or entity which said Attorney in Fact shall have the power and authority to transfer or convey any of my aforementioned assets, including, but not limited to, the execution of Deeds, contracts for sale of real estate, or any other like document which may be executed for the purpose of sale, transfer or conveyance of said asset.

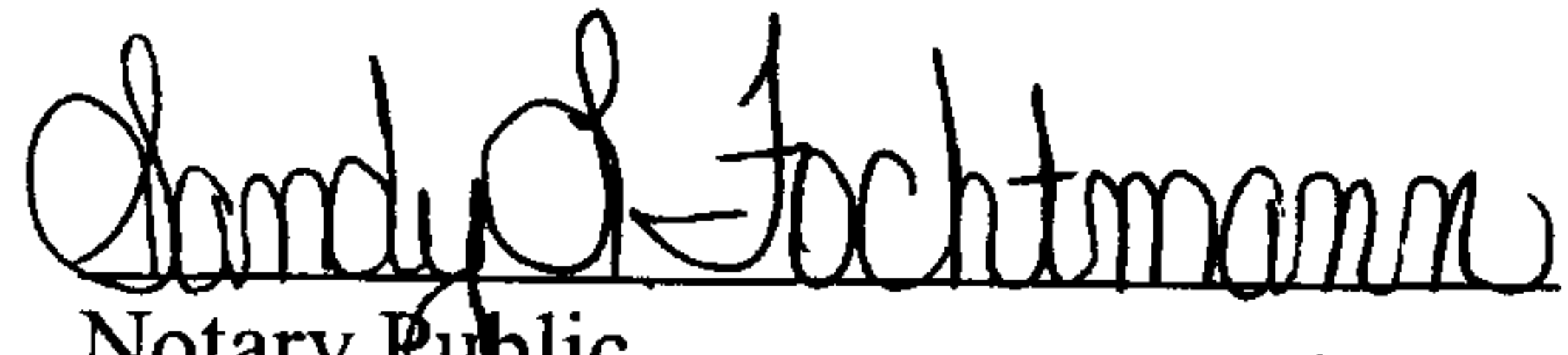
Furthermore, I specifically revoke any and all prior Powers of Attorney issued by me to any Attorney in Fact for the purposes hereinabove stated, and direct that any and all such prior Power of Attorney and/or Powers of Attorney are hereby cancelled, nullified and held void, or for naught.


BENJAMIN GEORGE LANIER-NABORS

STATE OF ALABAMA
COUNTY OF SHELBY

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that **BENJAMIN GEORGE LANIER-NABORS** whose name is signed to the foregoing Restrictive Durable Power of Attorney, and who is known to me, acknowledged before me on this day, that, being informed of the contents of this document, said Principal executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 2nd day of April, 2002.


Notary Public
My Commission Expires: 2/25/2003

Prepared By:
Mitchell A. Spears
Attorney at Law
P.O. Box 119
Montevallo, AL 35115
(205) 665-5076