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Shelby Cnty Judge of Probate, AL  
07/15/2003 09:30:00 FILED/CERTIFIED

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(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was  
prepared by:

R. Shan Paden  
PADEN & PADEN  
Attorneys at Law  
5 Riverchase Ridge, Suite 100  
Birmingham, Alabama 35244

SEND TAX NOTICE TO:

JEFFREY G. CARROLL  
1416 HILLSPUN ROAD  
ALABASTER, AL 35007

STATE OF ALABAMA)

COUNTY OF SHELBY)

### **WARRANTY DEED**

**Know All Men by These Presents:** That in consideration of ONE HUNDRED THIRTY NINE THOUSAND NINE HUNDRED DOLLARS and 00/100 (\$139,900.00) to the undersigned grantor or grantors in hand paid by the GRANTEEES herein, the receipt of which is acknowledged, we, DENIS W. AVANS and TRISHA AVANS, HUSBAND AND WIFE (herein referred to as GRANTORS) do grant, bargain, sell and convey unto JEFFREY G. CARROLL, AN UNMARRIED PERSON, (herein referred to as GRANTEEES, whether one or more) the following described real estate, situated in SHELBY County, Alabama, to-wit:

COMMENCE AT THE NORTHEAST CORNER OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 26, TOWNSHIP 20 SOUTH, RANGE 3 WEST, SAID CORNER ALSO BEING THE SOUTHEAST CORNER OF LOT 49, ACCORDING TO THE SURVEY OF SECOND SECTOR, PORTSOUTH, AS RECORDED IN MAP BOOK 6, PAGE 37, IN THE PROBATE RECORD ROOM, SHELBY COUNTY, FOR THE POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 21 MINUTES 04 SECONDS WEST ALONG THE SOUTH LINE OF SAID LOT 49, FOR 122.55 FEET; THENCE SOUTH 15 DEGREES 27 MINUTES 03 SECONDS WEST FOR 147.73 FEET TO THE NORTHWESTERLY RIGHT OF WAY LINE OF SHELBY COUNTY HIGHWAY 64; THE BEGINNING OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 11 DEGREES 12 MINUTES 59 SECONDS AND A RADIUS OF 1602.47 FEET, SAID CURVE BEING SUBTENDED BY A CHORD BEARING OF NORTH 62 DEGREES 35 MINUTES 21 SECONDS EAST AND A CHORD DISTANCE OF 313.20 FEET; THENCE CONTINUE NORTHEASTERLY ALONG SAID RIGHT OF WAY FOR AN ARC DISTANCE OF 313.70 FEET, SAID POINT BEING THE SOUTHEAST CORNER OF LOT 2, ACCORDING TO THE SURVEY OF KINGWOOD, AS RECORDED IN MAP BOOK 6, PAGE 40, IN THE PROBATE RECORD ROOM, SHELBY COUNTY, ALABAMA; THENCE NORTH 89 DEGREES 52 MINUTES 44 SECONDS WEST ALONG THE SOUTH LINE OF SAID LOT 2, FOR 194.85 FEET TO THE POINT OF BEGINNING.

**SUBJECT TO:**

1. TAXES FOR THE YEAR BEGINNING OCTOBER 1, 2002 WHICH CONSTITUTES A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 2003.
2. RIGHT OF WAY GRANTED TO ALABAMA POWER COMPANY BY INSTRUMENT(S) RECORDED IN DEED BOOK 55, PAGE 454.
3. RIGHT(S) OF WAY TO SHELBY COUNTY, AS RECORDED IN DEED BOOK 271, PAGE 745.

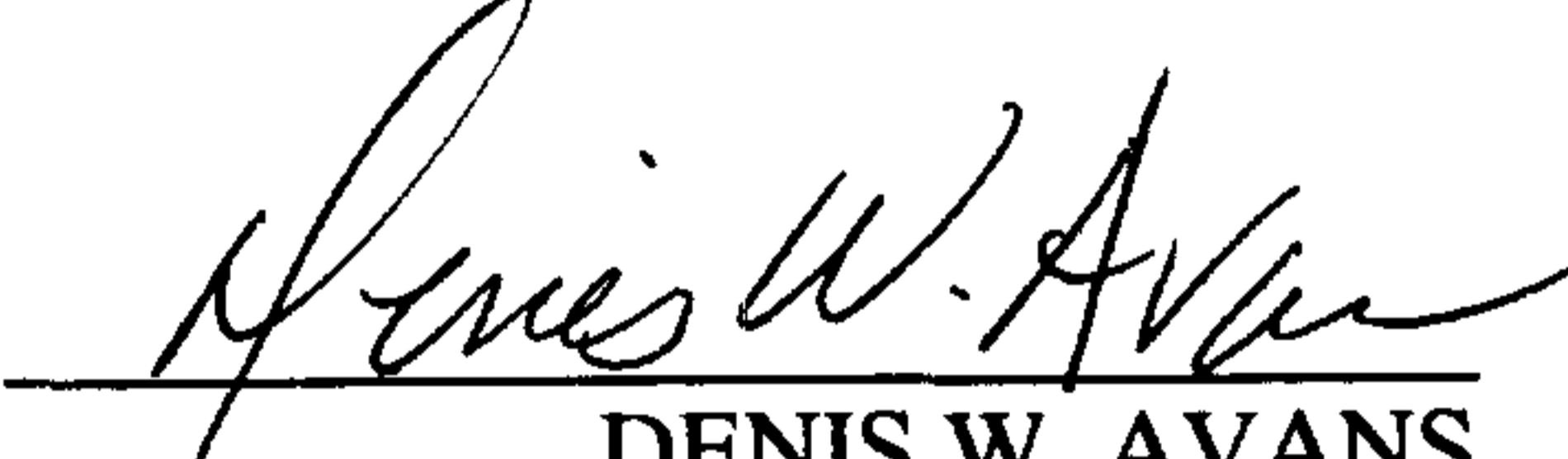
4. EASEMENT TO PLANTATION PIPELINE COMPANY IN DEED BOOK 91, PAGE 231.
5. RIGHT OF WAY GRANTED TO SOUTH CENTRAL BELL TELEPHONE COMPANY BY INSTRUMENT(S) RECORDED IN BOOK 293, PAGE 334 AND DEED BOOK 320 PAGE 887.
6. RIGHT OF WAY IN FAVOR OF ALABAMA POWER COMPANY AND SOUTH CENTRAL BELL TELEPHONE COMPANY BY INSTRUMENT(S) RECORDED IN DEED BOOK 317, PAGE 272.

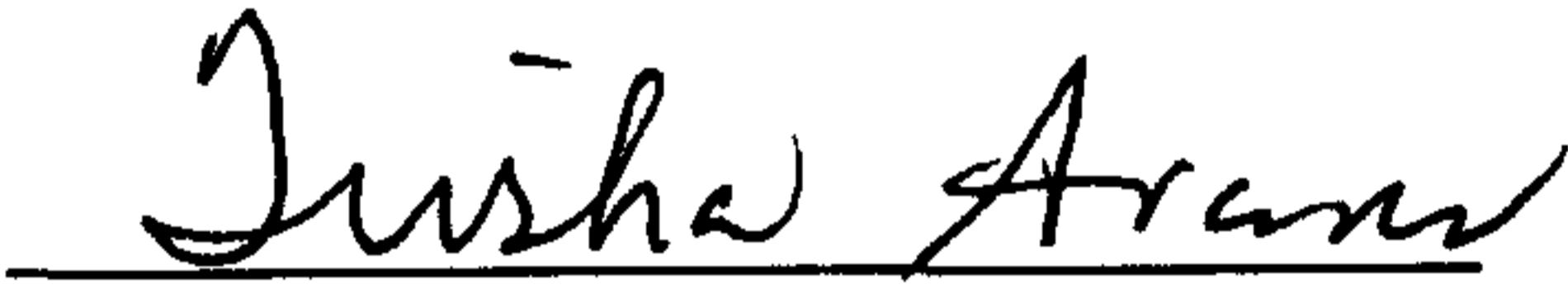
\$132,905.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

**TO HAVE AND TO HOLD** Unto the said GRANTEE(S), 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(S), 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 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 said GRANTEE(S), his, her, or their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said GRANTORS, DENIS W. AVANS and TRISHA AVANS, HUSBAND AND WIFE, have hereunto set his, her or their signature(s) and seal(s), this the 27th day of June, 2003.

  
DENIS W. AVANS

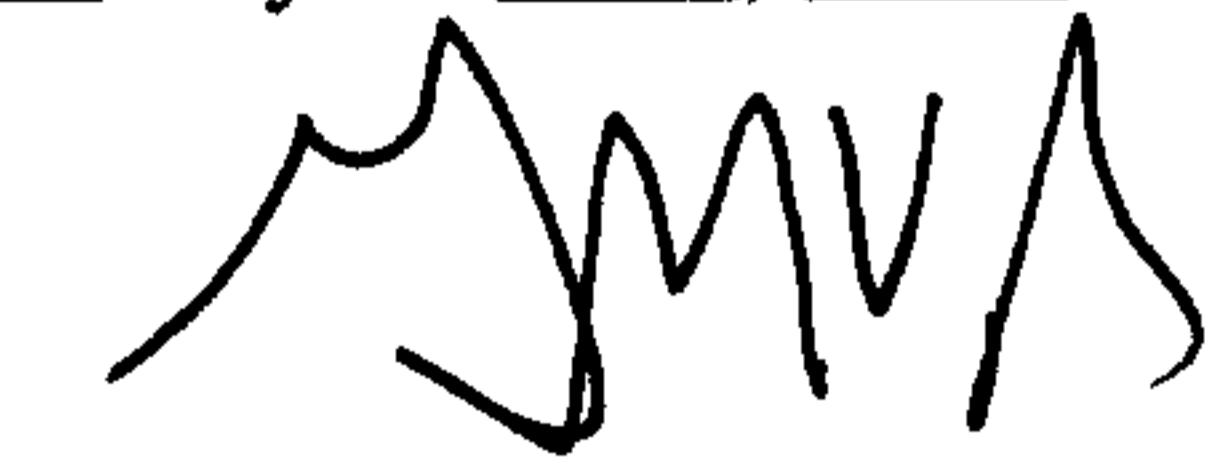
  
TRISHA AVANS

STATE OF ALABAMA)  
COUNTY OF SHELBY)

#### ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that DENIS W. AVANS, TRISHA AVANS whose name(s) is (are) signed to the foregoing conveyance, and who is (are) known to me, acknowledged before me on this day that, being informed of the contents of the conveyance he, she, or they executed the same voluntarily on the day the same bears date.

Given under my hand this the 27th day of June, 2003.

  
\_\_\_\_\_  
Notary Public

My commission expires: 9-29-06