

This instrument was prepared by:

✓ Mike T. Atchison

P O Box 822

Columbiana, AL 35051

Send Tax Notice to:


Ed Cates

185 Ridge Drive

Shelby, AL 35143

WARRANTY DEED

STATE OF ALABAMA)
SHELBY COUNTY)


20040930000540470 Pg 1/2 514.00
Shelby Cnty Judge of Probate, AL
09/30/2004 09:22:00 FILED/CERTIFIED

KNOW ALL MEN BY THESE PRESENTS, That in consideration of **FIVE HUNDRED THOUSAND AND NO/100 (\$500,000.00)**, and other good and valuable considerations to the undersigned grantor, in hand paid by grantee herein, the receipt whereof is acknowledged, I or we, **RUTH W. MIMS, as Conservator for the Estate of T.H. WALTON, a/k/a THOMAS HEFLIN WALTON, an incapacitated person in need of protection, Probate Case No. 42-095, in the Probate Office of Shelby County, Alabama,** hereby grant, bargain, sell and convey unto **ED CATES** the following described real estate, situated in: Shelby County, Alabama, to-wit:

SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION, WHICH IS INCORPORATED HEREIN BY REFERENCE.

Subject to restrictions, easements and rights of way of record.

Subject to taxes for 2004 and subsequent years, easements, restrictions, rights of way and permits of record.

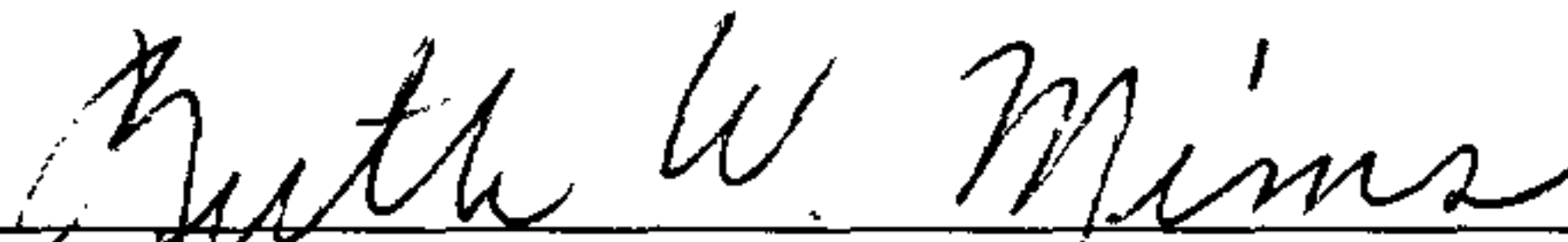
\$400,000.00 OF THE ABOVE RECITED CONSIDERATION WAS PAID FROM A MORTGAGE RECORDED SIMULTANEOUSLY HERewith.

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 Grantees, their heirs and assigns, and 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 Grantees, heirs, executors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 29th day of September, 2004.

Estate of T.H. Walton, a/k/a Thomas Heflin
Walton, an incapacitated person in
need of protection, Probate Case No. 42-095, in the
Probate Office of Shelby County, Alabama


by: Ruth W. Mims, Conservator

STATE OF ALABAMA
SHELBY COUNTY

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Ruth W. Mims, as Conservator of the Estate of T.H. Walton a/k/a Thomas Heflin Walton, an incapacitated person in need of protection, Probate Case No. 42-095, in the Probate Office of Shelby County, Alabama, 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/they executed the same voluntarily on the day the same bears date, in her capacity as such Conservator.

Given under my hand and official seal this 29th day of September, 2004.


Notary Public

My Commission Expires: 10-16-04

EXHIBIT "A"
LEGAL DESCRIPTION

20040930000540470 Pg 2/2 514.00
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ALL MY UNDIVIDED ONE-HALF INTEREST IN AND TO THE FOLLOWING DESCRIBED PROPERTY, TO-WIT:

PARCEL II:

A part of land situated in the South 1/2 of Section 33, Township 21 South, Range 2 West, Shelby County, Alabama, and being more particularly described as follows:

Begin at the SE corner of above said Section, Township, and Range, said point being the point of beginning; thence North 01 degrees 10 minutes 04 seconds East a distance of 468.00 feet; thence North 87 degrees 45 minutes 24 seconds West a distance of 1066.87 feet; thence South 89 degrees 59 minutes 53 seconds West a distance of 1065.78 feet to a point, said point lying on the Northeasterly right of way line of U.S. Highway #31 (100-foot right of way), said point also being the beginning of a non-tangent curve to the right, having a radius of 2,758.81 feet, a central angle of 08 degrees 55 minutes 20 seconds and subtended by a chord which bears South 17 degrees 48 minutes 49 seconds East and a chord distance of 429.17 feet; thence along the arc of said curve and said right of way line a distance of 429.60 feet; thence South 87 degrees 05 minutes 42 seconds East and leaving said right of way line, a distance of 1,993.57 feet to the point of beginning. According to survey of Rodney Y. Shiflett, RLS #12784, dated September 17, 2004.