

11761

This Instrument was prepared by:

Send Tax Notice to:

R. Shan Paden  
PADEN & PADEN  
5 Riverchase Ridge, Suite 100  
Birmingham, AL 35244

TAMMY L. CARDEN

STATE OF ALABAMA)  
JEFFERSON COUNTY )

**WARRANTY DEED**

**Know All Men by These Presents:** That, Whereas, LUTHER CLAUDE BOYD, departed this life testate; and

Whereas, ROBERT E. PADEN, was granted Letters of Administration Cum Testamento Annexo of the Estate of LUTHER CLAUDE BOYD, by the Judge of Probate of Jefferson County, Alabama, as shown by the records in Probate Case No. 20739 and Whereas, ROBERT E. PADEN, was granted Letters of Administration Cum Testamento Annexo of the Estate of CARL EVANS BOYD, by the Judge of Probate of Jefferson County, Alabama, as shown by the records in Probate Case No. 20605 and

Whereas, Robert E. Paden was appointed trustee of the testamentary trusts setforth in said will of LUTHER CLAUDE BOYD and in said will of CARL EVANS BOYD.

Whereas Robert E. Paden, Trustee of said trust, passed away on June 16, 2002.

Whereas, R. Shan Paden was appointed successor trustee on June 5, 2003 of the testamentary trusts setforth in said will of LUTHER CLAUDE BOYD and in said will of CARL EVANS BOYD.

Now, Therefore, in consideration of the Premises, and the sum of FIFTY THOUSAND AND NO/100 (\$50,000.00) DOLLARS, cash in hand paid to the undersigned, namely: R. SHAN PADEN, MARRIED PERSON as TRUSTEE of the TESTAMENTARY TRUST of LUTHER CLAUDE BOYD, deceased, Probate Case No. 20739 and R. SHAN PADEN, MARRIED PERSON, as TRUSTEE of the TESTAMENTARY TRUST of CARL EVANS BOYD, deceased, Probate Case No. 20605, do by these presents, grant, bargain, sell and convey unto TAMMY L. CARDEN (GRANTEE), the following described real estate, situated in SHELBY County, Alabama, to-wit:

SEE ATTACHED EXHIBIT A

**\*\*MORTGAGE IN THE AMOUNT OF \$50,000.00 RECORDED SIMULTANEOUSLY HEREIN AND  
A SECOND MORTGAGE IN THE AMOUNT OF \$22,000.00 RECORDED SIMULTANEOUSLY  
SUBJECT TO: HEREIN\*\*\***

1. TAXES FOR THE YEAR BEGINNING OCTOBER 1, 2004 WHICH CONSTITUTES A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 2005.
2. POWER LINES RUNNING THROUGH THE PROPERTY AS SHOWN BY COUNTY PLAT.
3. EASEMENTS, CONDITIONS, RESTRICTIONS, COVENANTS, RIGHTS OF WAY OR ENCROACHMENTS OF RECORD.

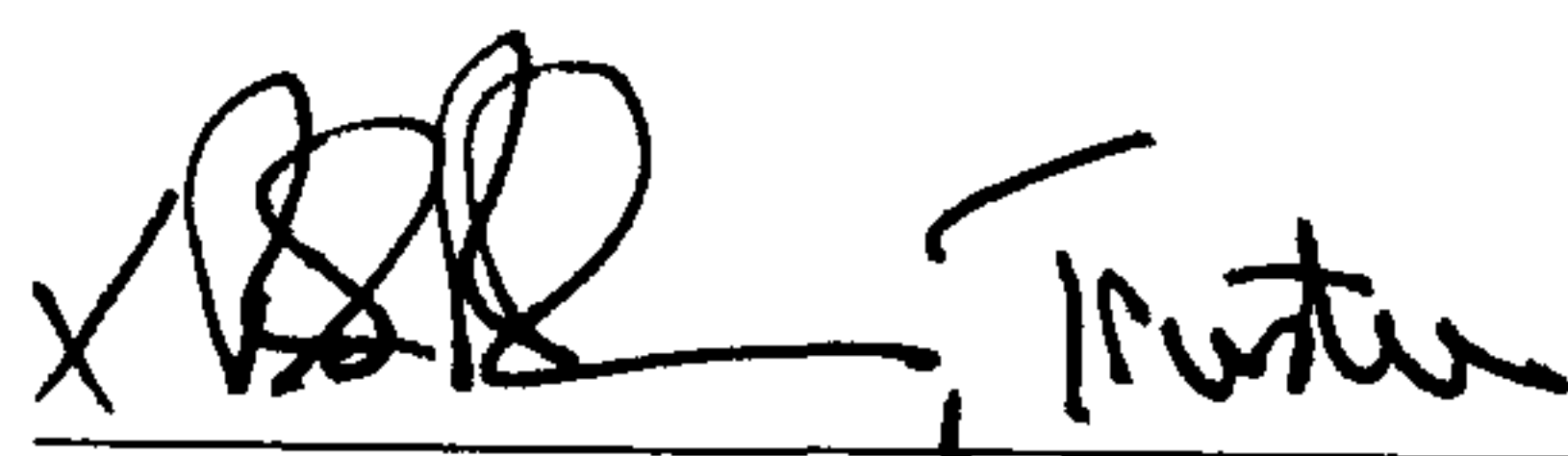
**SUBJECT PROPERTY DOES NOT CONSTITUTE THE HOMESTEAD OF  
THE GRANTOR, R. SHAN PADEN.**

**TO HAVE AND TO HOLD** unto TAMMY L. CARDEN her heirs and assigns, forever.

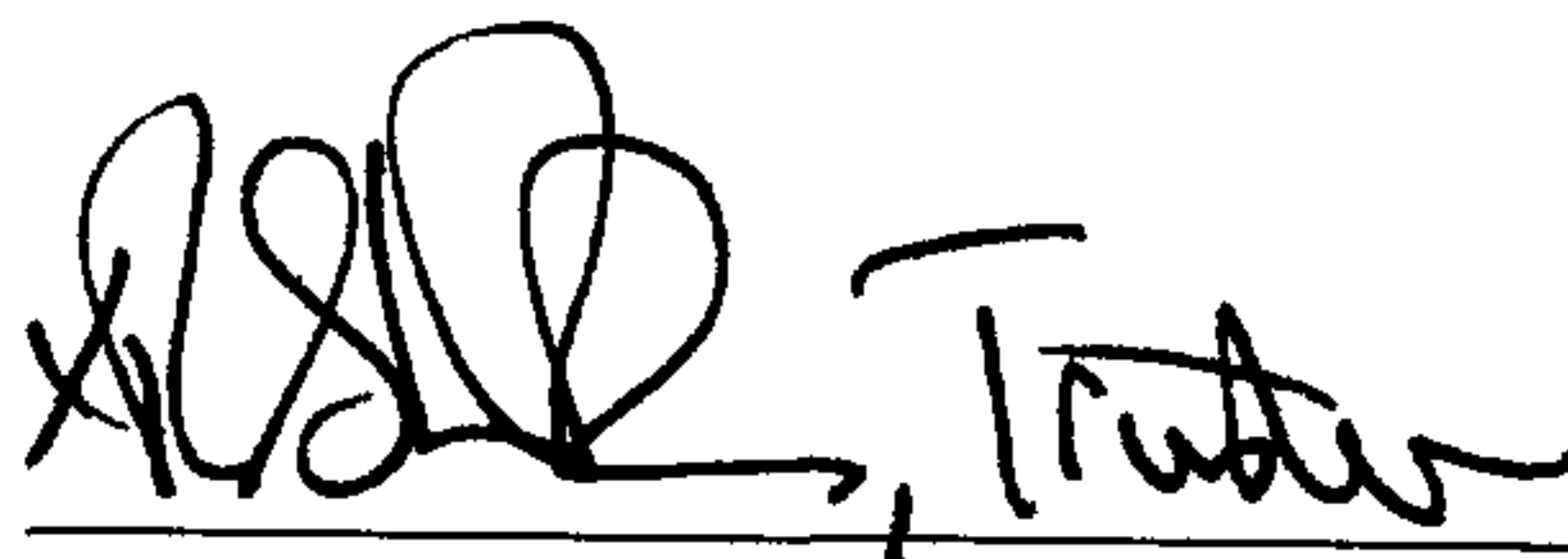
And I do for myself and for my heirs, estate, and administrators covenant with the said GRANTEE, her heirs and assigns, that we are lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that we have a good right to sell and convey the same as aforesaid; that we will and our heirs, estate and administrators shall warrant and defend the same to the said GRANTEE, her heirs and assigns forever, against the lawful claims of all persons.

It is understood and agreed that wherever in this instrument the singular number is used, it applies to the plural if and when necessary and that when the plural is used, the plural likewise applies to the singular if and when necessary.

In Witness Whereof, the undersigned, R. SHAN PADEN, as TRUSTEE of the TESTAMENTARY TRUST of LUTHER CLAUDE BOYD, deceased, Probate Case No. 20739 AND R. SHAN PADEN, MARRIED PERSON, as TRUSTEE of the TESTAMENTARY TRUST of CARL EVANS BOYD, deceased, Probate Case No. 20605 has hereunto subscribed his name and seal, on this the 29<sup>TH</sup> day of NOVEMBER, 2004



R. SHAN PADEN, as TRUSTEE of the  
TESTAMENTARY TRUST of LUTHER CLAUDE BOYD deceased



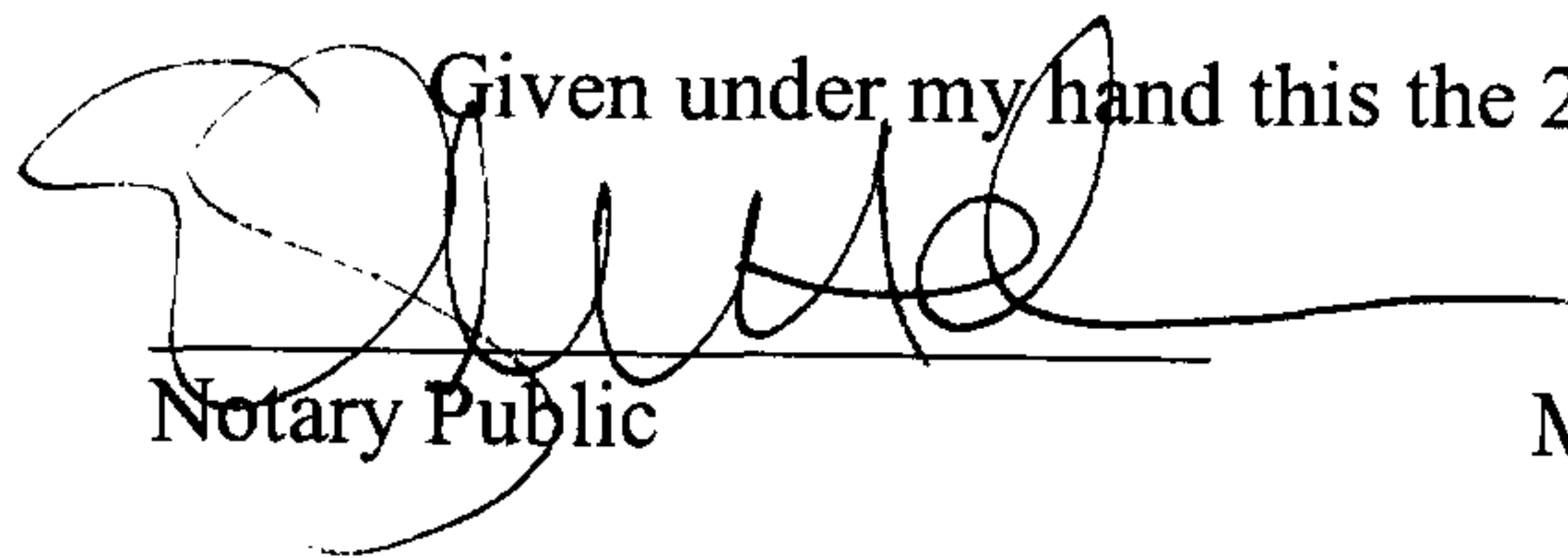
R. SHAN PADEN, as TRUSTEE  
of the TESTAMENTARY TRUST of CARL EVANS BOYD deceased

STATE OF ALABAMA )  
SHELBY COUNTY )

#### ACKNOWLEDGMENT

I, THE UNDERSIGNED, a Notary Public, in and for said County, in said State, hereby certify that R. SHAN PADEN, whose name as TRUSTEE of the TESTAMENTARY TRUST of LUTHER CLAUDE BOYD Deceased, 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, in her capacity as such TRUSTEE executed the same voluntarily on the day the same bears date.

Given under my hand this the 29TH DAY OF NOVEMBER, 2004

  
Notary Public

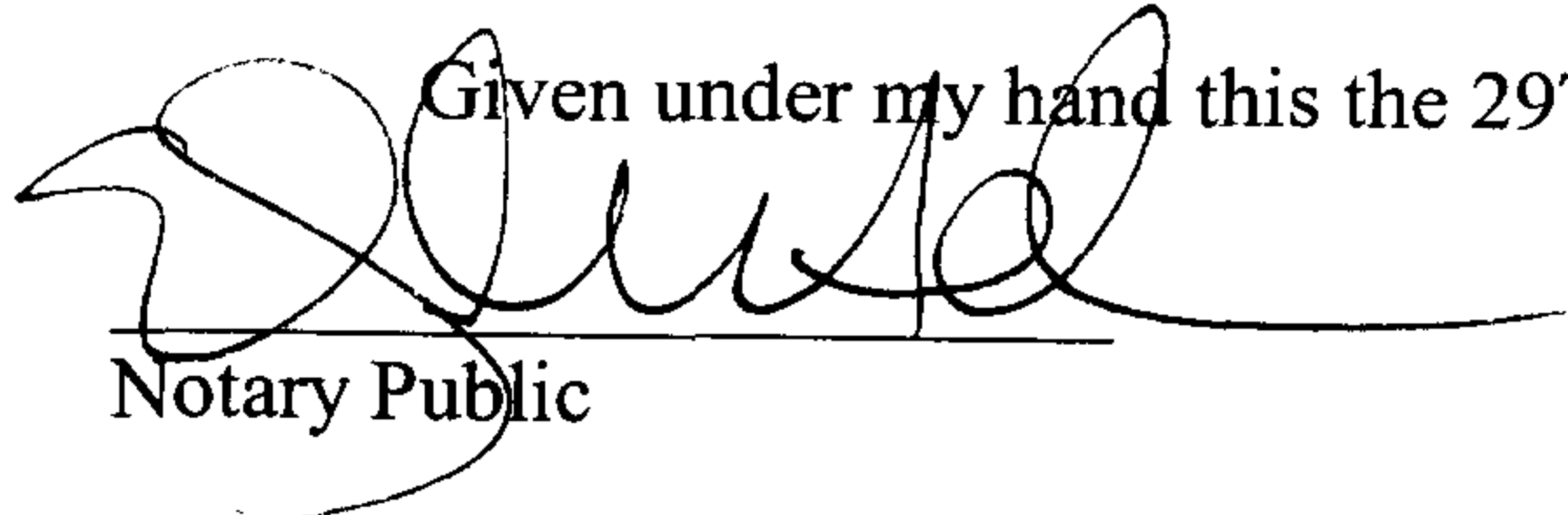
My commission expires: 10.2.05

STATE OF ALABAMA )  
SHELBY COUNTY )

#### ACKNOWLEDGMENT

I, THE UNDERSIGNED, a Notary Public, in and for said County, in said State, hereby certify that R. SHAN PADEN, whose name as TRUSTEE of the TRUST of CARL EVANS BOYD Deceased, 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, in her capacity as such TRUSTEE executed the same voluntarily on the day the same bears date.

Given under my hand this the 29TH DAY OF NOVEMBER, 2004

  
Notary Public

My commission expires: 10.2.05



re: R04-11761  
TAMMY L. CARDEN

20050110000012880 Pg 3/3 15.00  
Shelby Cnty Judge of Probate, AL  
01/10/2005 08:40:00 FILED/CERTIFIED

**EXHIBIT "A"**

**A PART OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 14  
TOWNSHIP 21 SOUTH RANGE 3 WEST LYING IN SHELBY COUNTY ALABAMA  
BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**BEGIN 630 FEET FROM WEST LINE OF SMOKEY ROAD OF THE SOUTHEAST 1/4 OF  
SOUTHWEST 1/4 OF SECTION 14, TOWNSHIP 21, RANGE 3 WEST RUNNING EAST  
ALONG SMOKEY ROAD 210 FEET; THENCE NORTH 420 FEET; THENCE WEST 210  
FEET; THENCE 420 FEET TO THE POINT OF BEGINNING OF SMOKEY ROAD  
SITUATED IN SHELBY COUNTY, ALABAMA.**

**MORE PARTICULARLY DESCRIBED BY SURVEY OF R. C. FARMER AS:**

Commence at the SW Corner of the SE 1/4 of the SW 1/4 of  
Section 14, Township 21 South, Range 3 West; thence  
N2°17'35"W, a distance of 181.89'; thence N88°46'55"E, a  
distance of 508.22' to the POINT OF BEGINNING; thence  
N8°5'35"E, a distance of 384.90; thence N64°12'45"E, a  
distance of 205.81'; thence S8°15'23"W, a distance of 399.64;  
thence S67°35'20"W, a distance of 197.00' to the Point of  
Beginning.

Subject to any Rights-of-Way and or any easements that  
may be found in the Office of the Judge of Probate, Shelby  
County, Alabama.