

Send Tax Notice To:

DAVID & PAMELA BAILEY

6949 Hwy 57 S
Shelby AL 35143


20050224000088660 Pg 1/3 18.00
Shelby Cnty Judge of Probate, AL
02/24/2005 10:52:00 FILED/CERTIFIED

This instrument was prepared by:

Mike T. Atchison

P O Box 822

Columbiana, AL 35051

WARRANTY DEED, JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

STATE OF ALABAMA)

KNOW ALL MEN BY THESE PRESENTS,

SHELBY COUNTY)

That in consideration of **THIRTY TWO THOUSAND AND NO/00 (\$32,000.00)**, and other good and valuable considerations to the undersigned grantor (whether one or more), in hand paid by grantee herein, the receipt whereof is acknowledged, I or we,

DAVID WAYNE HORTON, A MARRIED MAN

AND

DOUGLAS LAYNE HORTON A SINGLE MAN

AND

KIMBERLY GAIL PHILLIPS, A MARRIED WOMAN

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

DAVID W. BAILEY AND PAMELA J. BAILEY

(herein referred to as grantees), the following described real estate, situated in: SHELBY County, Alabama, to-wit:

SEE EXHIBIT "A" FOR LEGAL DESCRIPTION.

Situated in SHELBY County, Alabama.

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

This property constitutes no part of the household of the grantor, or of his spouse.

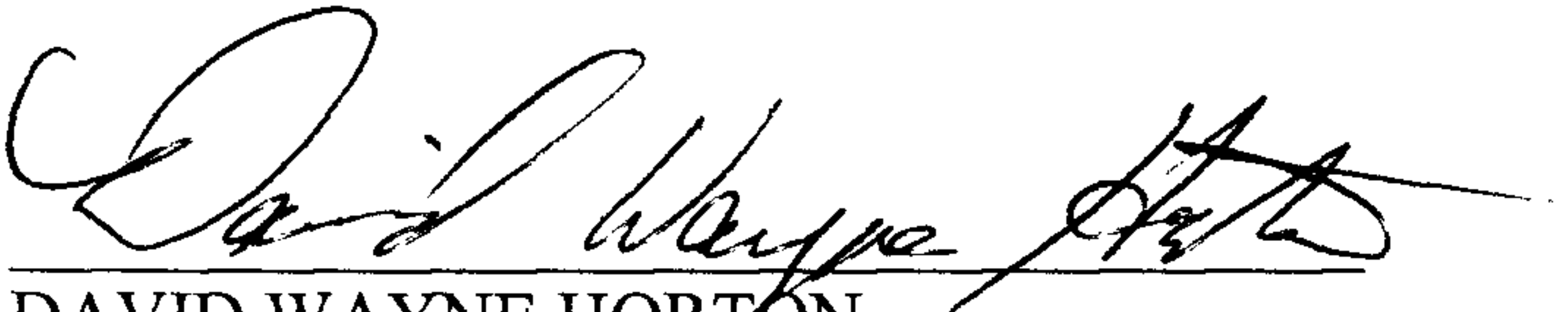
Subject to taxes for 2005 and subsequent years, easements, restrictions, rights of way and permits of record.

\$32,000.00 of the above-recited consideration was paid from a first mortgage recorded simultaneously herewith.

TO HAVE AND TO HOLD Unto the said GRANTEES as joint tenants, with right of survivorship, their heirs and assigns, forever; it being the intention of the parties to this conveyance, that (unless the joint tenancy hereby created is severed or terminated during the joint lives of the grantees herein) in the event one grantee herein survives the other, the entire interest in fee simple shall pass to the surviving grantee, and if one does not survive the other, then the heirs and assigns of the grantees herein shall take as tenants in common.

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 21th day of February, 2005.


DAVID WAYNE HORTON


DOUGLAS LAYNE HORTON


KIMBERLY GAIL PHILLIPS

STATE OF ALABAMA)
SHELBY COUNTY)

I, the undersigned authority, Ashley Harrison, a Notary Public in and for said County, in said State hereby
DAVID WAYNE HORTON
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 2nd day of February, 2005.

Ashley Harrison
Notary Public
My commission expires: 2-20-07

STATE OF ALABAMA)
SHELBY COUNTY)

I, the undersigned authority, Ashley Harrison, a Notary Public in and for said County, in said State hereby
DOUGLAS LAYNE HORTON
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 2nd day of February, 2005.

Ashley Harrison
Notary Public
My commission expires: 2-20-07

STATE OF ALABAMA)
SHELBY COUNTY)

I, the undersigned authority, Ashley Harrison, a Notary Public in and for said County, in said State hereby
KIMBERLY GAIL PHILLIPS
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 2nd day of February, 2005.

Ashley Harrison
Notary Public
My commission expires: 2-20-07

Exhibit "A"

Legal Description

Lot 1 of Waxahatchee Corner, as per Map or Plat filed for record in the Office of the Judge of Probate of Shelby County, Alabama, said parcel also being described as follows:

Commencing at the NE corner of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 9, Township 24: North, Range 15 East, and from said point run thence SW a distance of 812.91 feet, more or less, to a point; from said point turn an angle to the left of 62 degrees 11 minutes 50 seconds and run 361.93 feet, more or less to a point on the Northeastern margin of Shelby County Highway 47; from said point run thence NW along the margin of said highway a distance of 413.05 feet to a point, from said point run thence Easterly a distance of 172.40 feet to a point; from said point run thence Northeasterly a distance of 212.43 feet, more or less, to the point of beginning.