

THIS INSTRUMENT PREPARED BY: James J. Odom, Jr. P.O. Box 11244 Birmingham, AL 35202-1244 SEND TAX NOTICE TO: Gerald W. Cummings Jimmie Ruth Cummings 67 Alex Mill Road Montevallo, AL 35115

STATE OF ALABAMA ()
COUNTY OF SHELBY

WARRANTY DEED

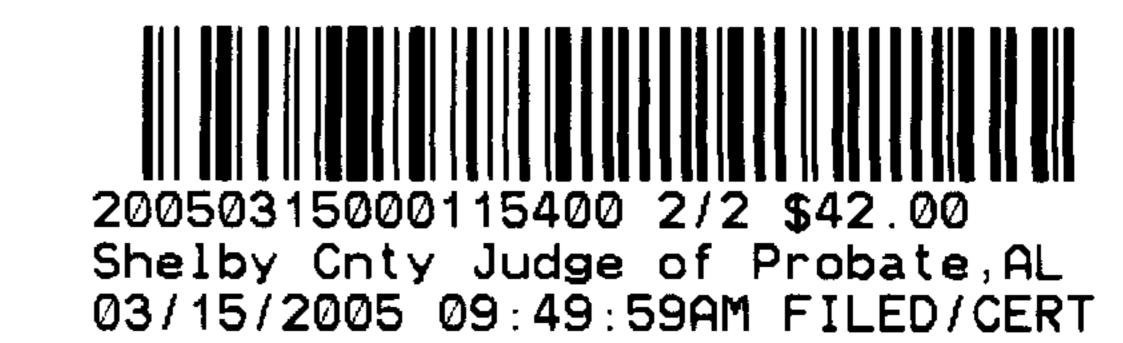
KNOW ALL MEN BY THESE PRESENTS THAT in consideration of Twenty-Seven Thousand Six Hundred and NO/100 Dollars (\$27,600.00), and other good and valuable consideration, paid to the undersigned grantor, Stephen H. Lee, a married man ("Grantor"), by Gerald W. Cummings and Jimmie Ruth Cummings, as joint tenants ("Grantees"), the receipt and sufficiency whereof are hereby acknowledged, Grantor does by these presents, grant, bargain, sell and convey unto the Grantees the following described real estate situated in Shelby County, Alabama (the "Premises"), to-wit:

A parcel of land situated in the E ½ of the NW ¼ and the W ½ of the NE ¼ of Section 11, Township 22 South, Range 3 West, Shelby County, Alabama, being more particularly described as follows:

Commence at a 1 $\frac{1}{2}$ inch square bar locally accepted to be the northeast corner of said Section 11; thence run South 00 deg. 00 min. 00 sec. East (an assumed bearing) along the East line of said Section 11 for a distance of 915.00 feet to a point; thence run South 79 deg. 41 min. 13 sec. West for a distance of 1328.09 feet to a point, said point being on a fence line; thence run South 62 deg. 43 min. 49 sec. West along said fence line for a distance of 253.90 feet to a point; thence run South 65 deg. 08 min. 18 sec. West along said fence line for a distance of 106.17 feet to a point; thence run South 65 deg. 08 min. 17 sec. West along said fence line for a distance of 163.29 feet to a point; thence run South 69 deg. 33 min. 33 sec. West along said fence line for a distance of 259.87 feet to an iron pin found; thence run South 69 deg. 14 min. 22 sec. West along said fence line for a distance of 251.34 feet to an iron pin found on the northeast right of way line of Alex Mill Road; thence run North 57 deg. 50 min. 03 sec. West along said northeast right of way line for a distance of 279.97 feet to an iron pin found at the point of beginning; thence continue North 57 deg. 50 min. 03 sec. West along said Northeast right of way line for a distance of 210.15 feet to an iron pin set; thence run North 32 deg. 13 min. 21 sec. East for a distance of 200.34 feet to an iron pin set; thence run South 57 deg. 51 min. 04 sec. East for a distance of 210.15 feet to an iron pin found; thence run South 32 deg. 13 min. 21 sec. West for a distance of 200.41 feet to the point of beginning; being situated in Shelby County, Alabama.

SUBJECT TO: (1) Current taxes; (2) Encroachment of fence onto and/or off of the land on the Northeasterly and the Southwesterly sides of the land as shown on the Survey by Surveying Solutions, Inc. dated February 22, 2005; (4) Easement to Alabama Power Company as set out by instruments recorded in Inst. #20030926000463810 and 20040102000000790 in the Probate Office.

This property does not constitute the homestead of the Grantor herein.



TO HAVE AND TO HOLD to the 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 Grantor does for himself, his heirs and assigns, covenant with Grantees, their heirs and assigns, that he is lawfully seized in fee simple of the Premises; that the Premises are free from all encumbrances, except as noted above; that Grantor has a good right to sell and convey the Premises as aforesaid; that Grantor will, and his heirs and assigns shall, warrant and defend the same to the Grantees, their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the undersigned has executed this conveyance on this the 25th day of February, 2005.

WITNESS:

Stephen H. Lee

Cine & Marshall

STATE OF ALABAMA COUNTY OF SHELBY

a. Mashall

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Stephen H. Lee, a married man, 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 executed the same on the day the same bears date.

Given under my hand and seal this $\frac{25^{-44}}{1}$ day of February, 2005.

Notary Public

My Commission Expires: 03/13/2007