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 TWO HUNDRED FIVE THOUSAND AND NO/00 (\$205,000.00), 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,

INDIAN SPRINGS DEVELOPMENT COMPANY, L.L.C.

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

ELWYN BEARDEN AND DEBBY BEARDEN

(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.

\$0.00 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 31<sup>ST</sup> day of March, 2005.

HUDSON/STEWART, L.L.C. An Alabama Limited Liability Company Its Managing Member

RITA M HUDSON

Its Managing Member

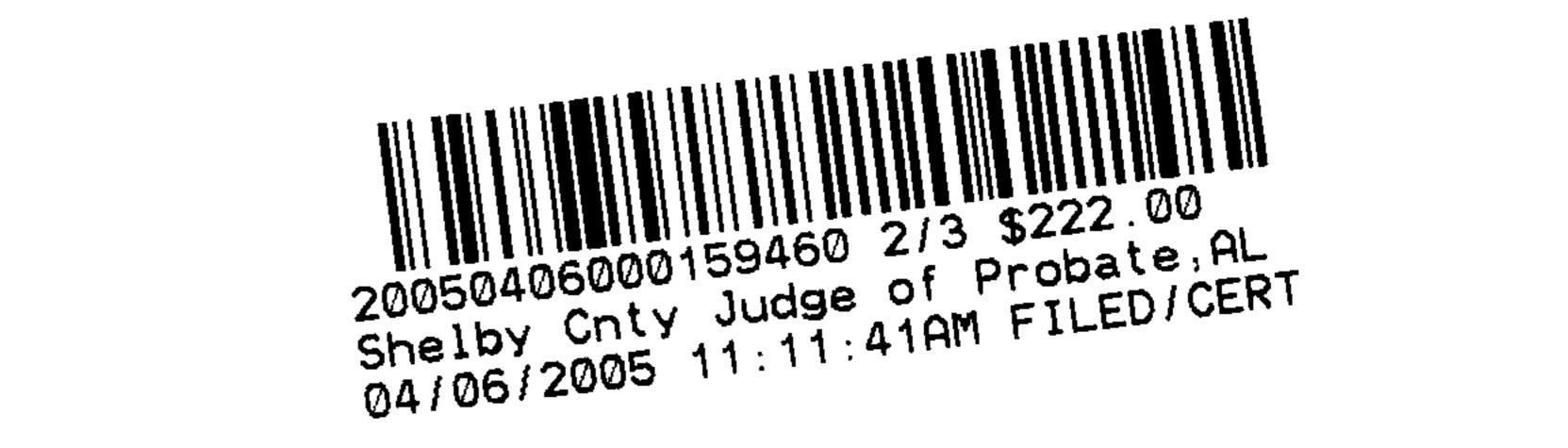
DAVIES PROPERTIES, LTD. An Alabama Limited Partnership Its Member

DAVIES MANAGEMENT TRUST

Its General Partner

DAVID **5**. DAVIES

Its Trustee



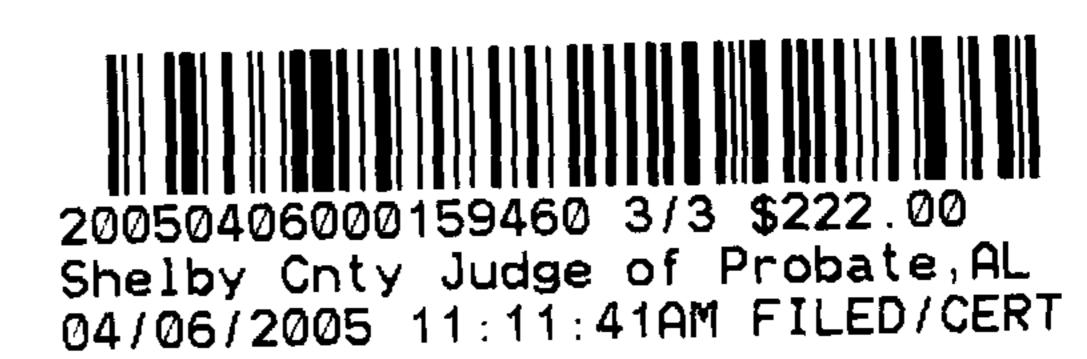
## STATE OF ALABAMA) SHELBY COUNTY)

I, the undersigned authority, MICHAEL T ATCHISON, a Notary Public in and for said County, in said State hereby RITA M HUDSON AS GENERAL PARTNER OF INDIAN SPRINGS DEVELOPMENT COMPANY LLC and DAVID DAVIES AS GENERAL PARTNER OF INDIAN SPRINGS DEVELOPMENT COMPANY LLC

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 dates

Given under my hand and official seal this 30<sup>TH</sup> day of March 2008.

My commission expires: 10-16-08



## Exhibit "A" Legal Description

A part of the NW 1/2 of the SW 1/2 of Section 6, Township 20 South, Range 2 West and the NE 1/2 of the SE 1/2 of Section 1, Township 20 South, Range 3 West:

Beginning at the Northwest comer of the Northwest ½ of the Southwest ½ of Section 6, Township 20 South, Range 2 West, Pelham, Shelby County, Alabama and run thence South 89 deg. 15 min. 57 sec. East along the North line of said ½ ½ a distance of 274.89 feet to a P.K. nall corner on the Westerly margin of Highway No. 31 A.K.A. Pelham Parkway; thence run South 27 deg. 35 min, 30 sec. West along said margin of said Highway a distance of 247.12 feet to a steel rebar corner; thence run North 67 deg. 23 min, 27 sec. West a distance of 173.65 feet to a steel rebar corner; thence run North 35 deg. 40 min. 19 sec. East a distance of 46.35 feet to a steel rebar corner; thence run North 35 deg. 01 min. 49 sec. West a distance of 48.32 feet to a steel rebar corner on the West line of said ½ ½ section; thence run North 00 deg. 02 min. 19 sec. West along said ½ ½ line a distance of 79.04 feet to the point of beginning.

Also, a 20 foot wide easement for the installation and maintenance of a sanitary sewer to serve this property the centerline of which is described as follows:

Beginning at the Northwest corner of the Northwest ¼ of the Southwest ¼ of Section 6, Township 20 South, Range 2 West, Pelham, Shelby County, Alabama and run thence South 00 deg. 02 min. 19 sec. East along the East line of said ¼ ¼ a distance of 79.04 feet to a point; thence run South 35 deg. 01 min. 49 sec. East a distance of 48.32 feet to a point; thence run South 36 deg. 40 min. 19 sec. East a distance of 35.39 feet to the point of beginning on the centerline of a 20 foot wide easement being described; thence run North 86 deg. 17 min. 19 sec. West a distance of 45.65 feet to a point and the end of required easement.

All being situated in Shelby County, Alabama.

Shelby County, AL 04/06/2005 State of Alabama

Deed Tax: \$205.00