20050421000188530 1/2 \$20.00 Shelby Cnty Judge of Probate, AL 04/21/2005 08:19:47AM FILED/CERT

# WARRANTY DEED, JOINTLY FOR LIFE WITH REMAINDER TO SURVIVOR

This instrument was prepared by:
B. CHRISTOPHER BATTLES
3150 HIGHWAY 52 WEST
PELHAM, AL. 35124

Send tax notice to: Elizabeth K. Kendrick and Tim Kendrick 1604 Ashville Road Montevallo, Alabama 35115

#### STATE OF ALABAMA COUNTY OF SHELBY

Know All Men by These Presents: That in consideration of One hundred fifteen thousand and no/100 (\$115,000.00) to the undersigned grantor (whether one or more), in hand paid by the grantee herein, the receipt where is acknowledged, I or we, Mabel Wilcoxson Thornton a/k/a Mabel Thornton, an unmarried woman (herein referred to as grantor, whether one or more), grant, bargain, sell and convey unto Elizabeth K. Kendrick and Tim Kendrick (herein referred to as grantee, whether one or more), the following described real estate, situated in Shelby County, Alabama, to-wit:

## See Exhibit "A" Legal Description attached hereto and made a part hereof.

Mineral and mining rights excepted.

Mabel Wilcoxson Thornton and Mabel Thornton and Mabel W. Thornton and Mabel W. Thornton are all one and the same person.

Mabel Wilcoxson Thornton a/k/a Mabel Thornton is the surviving grantee of that certain deed recorded in Volume 171, Page 203 and that certain deed recorded in Volume 251, Page 390, the other grantee, Melton Thornton, having died on or about August 24, 1992.

\$92,000.00 of the purchase price recited above was paid from mortgage loan closed simultaneously herewith.

\$17,250.00 of the purchase price recited above was paid from mortgage loan closed simultaneously herewith.

Subject to existing easements, restrictions, set-back lines, rights of way, limitations, if any of record.

To Have and to Hold to the said grantee, 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 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 said grantee, his, her or their heirs and assigns, that I am (we are) lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise stated 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 grantee, his, her or their heirs and assigns forever, against the lawful claims of all persons.

In Witness Whereof, I (we) have hereunto set my (our) hand(s) and seal(s) this 1st day of April, 2005.

Mabel Wilcoxson Thornton a/k/a Mabel Thornton

by his/her agent and attorneyin fact, Mary J. Elleson

### ACKNOWLEDGMENT FOR POWER OF ATTORNEY

#### STATE OF ALABAMA COUNTY OF SHELBY

I, the undersigned, a Notary Public in and for said State, hereby certify that Mary T. Gleason, whose name as Attorney in Fact for Mabel W. Thornton, is signed to the foregoing conveyance and who is known to me, acknowledged before me this day that, being informed of the conveyance, he/she, in his/her capacity as such Attorney in Fact, and with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 1st day of April, 2005.

Shelby County, AL 04/21/2005 State of Alabama

Deed Tax: \$6.00

Notary Public

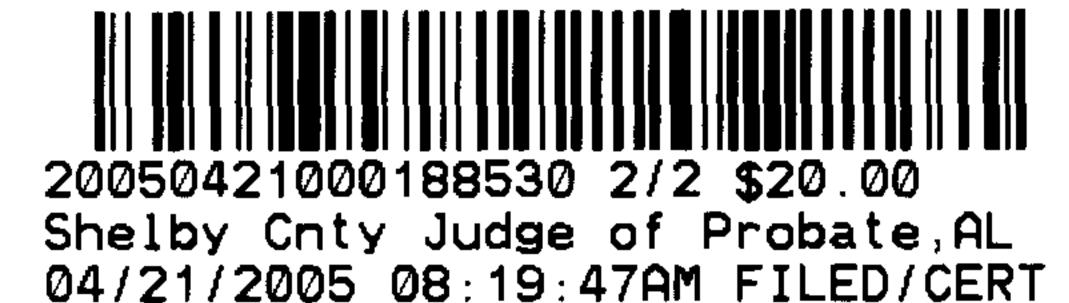
My commission expires:02-25-09

B. CHRISTOPHER BATTLES

Notary Public - Alabama, State At Large

My Commission Expires 2 / 25 / 2009

Em + the



# EXHIBIT "A" LEGAL DESCRIPTION

LOT NO. ONE OF BLOCK A OF HUBBARD AND GIVHAN'S SUBDIVISION OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 23 SOUTH, RANGE 3 WEST AS RECORDED AT THE OFFICE OF THE PROBATE JUDGE, COLUMBIANA, SHELBY COUNTY, ALABAMA.

SUBJECT TO ALL RESTRICTIONS, RESERVATIONS, RIGHTS,

LASEMENTS, RIGHTS-OF-WAY, PROVISIONS, COVENANTS, TERMS, CONDITIONS AND BUILDING SET-BACK LINES OF RECORD.

#### ALSO

LOT NO. 11 OF HUBBARD AND GIVHAN'S SUBDIVISION OF THE NW 1/4 OF THE NE 1/4 OF SECTION 21, TOWNSHIP 22 SOUTH, RANGE 3 WEST; ALSO A STRIP OF LAND LYING BETWEEN THE SOUTHERNMOST BOUNDARIES OF LOT NO. 1 AND LOT NO. 11 OF HUBBARD-GIVHAN'S SUBDIVISION OF THE NW 1/4 OF NE 1/4 OF SECTION 21, TOWNSHIP 22 SOUTH, RANGE 3 WEST AND THE OLD FENCE ROW WHICH IS CONSIDERED TO BE THE SOUTHERNMOST BOUNDARY OF THE ABOVE NAMED SUBDIVISION; SAID STRIP IS APPROXIMATELY 39 FEET WIDE AT ITS WESTERN END AND APPROXIMATELY 23 FEET WIDE AT THE EASTERN END, AND IS 586 FEET 9 INCHES IN LENGTH ON THE SIDE ABBUTTING THE ABOVE NAMED LOTS.