

This instrument was prepared by

A. Vincent Brown, Jr. 510 North 18th Street Bessemer, AL 35020

File #0605-20

SEND TAX NOTICE TO: Ralph Gibson Sherry Gable

P.O. Box 1646 Pelham, AL 35124

> Shelby County, AL 07/12/2005 State of Alabama

Deed Tax:\$10.00

WARRANTY DEED

JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

STATE OF ALABAMA COUNTY OF SHELBY

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of **Two Hundred Twenty-Five Thousand and 00/100** (\$225000) **DOLLARS** to the undersigned grantor (whether one or more), in hand paid by the grantee herein, the receipt whereof is acknowledged, I or we, **Miton Pate and Martha Pate**, **husband and wife** (herein referred to as grantor, whether one or more), grant, bargain, sell and convey unto **Ralph Gibson and Sherry Gable** (herein referred to as GRANTEES, whether one or more), as joint tenants with right of survivorship, the following described real estate, situated in **Jefferson County, Alabama to-wit:**

SEE ATTACHED EXHIBIT "A"

SUBJECT TO:

1. Taxes for the year beginning October 1, 2004, which constitutes a lien, but are not yet due and payable until October 1, 2005.

Title to all mineral within and underlying the premises, together will all mining rights and other rights, privileges and immunities relating thereto.

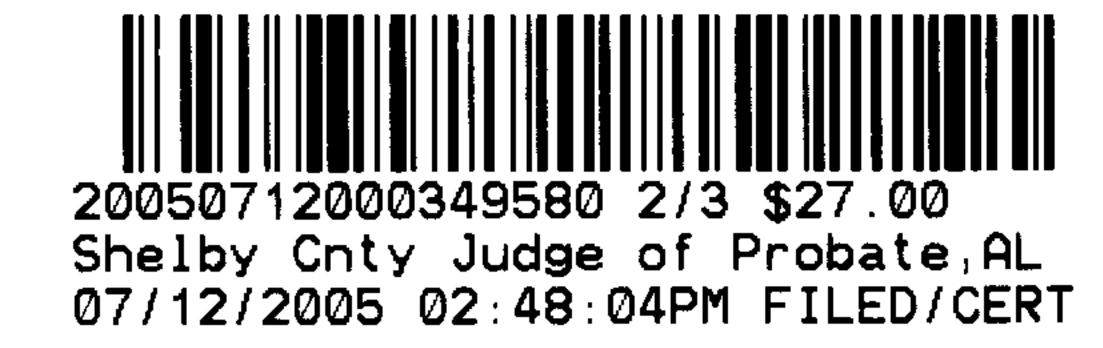
Less and except any part of subject property lying within Highway 52.

4. Right-of-way granted to Colonial Pipeline recorded in Volume 224, Page 370 and Volume 312, Page 328.

\$215000 of the consideration herein was derived from a mortgage loan closed simultaneously herewith.

TO HAVE AND TO HOLD to the said GRANTEES as joint tenants, with right of survivor ship, 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 said GRANTEES, 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), Miton Pate and Martha Pate, have hereunto set my (our) hand(s) and seal(s) this 23rd day of June, 2005.

Miton Pate

(SEAL)

Martha Pate

STATE OF ALABAMA JEFFERSON COUNTY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Miton Pate and Martha Pate whose name(s) (is/are) signed to the foregoing conveyance, and who (is/are) known to me, acknowledged before me on this day, that being informed of the contents of the conveyance, HE/SHE/THEY executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 23rd day of June, 2005.

Notary Public
My commission expires / 29-200 7

Exhibit "A"

20050712000349580 3/3 \$27.00 Shelby Cnty Judge of Probate, AL 07/12/2005 02:48:04PM FILED/CERT

LEGAL DESCRIPTION

Two parcels of land located in the NE ¼ of the NE ¼ of Section 23, Township 20 South, Range 3 West in Shelby County, Alabama, and being more particularly described as follows:

Parcel I:

Commence at the NE corner of said 1/4 1/4 section; thence South 00° 40' 12" East a distance of 1331.1 feet (Deed) to a point being the SE corner of the NE 1/4 of the NE 1/4 of Section 23, Township 20 South, Range 3 West; thence South 24° 36' 53" East a distance of 38.63 feet (Deed); thence North 89° 45' 37" West a distance of 513.00 feet (Deed) to the centerline of Buck Creek; thence North 09° 14' 09" West and along centerline of said creek a distance of 127.64 feet (Deed); thence North 38° 03' 33" West and along centerline of said creek a distance of 151.69 feet (Deed); thence North 60° 01' 03" East a distance of 277.20 feet (Deed) to the point of beginning; thence South 30° 00' 19" East and along an old fence line, a distance of 100.00 feet; thence North 60° 02' 41" East and along an old fence line a distance of 230.51 feet to a point, said point lying on the Westerly right of way of (Pelham-Helena Highway) Shelby County Highway No. 52 (60 foot right of way) said point also lying on a nontangent curve to the right having a radius of 325.00 feet, a central angle of 18° 46' 32", and subtended by a chord which bears North 47° 54' 26" West, a chord distance of 106.03 feet; thence along the arc of said curve and said right of way line a distance of 106.50 feet; thence South 59° 47' 41" West and leaving said right of way a distance of 197.92 feet to the point of beginning; being situated in Shelby County, Alabama.

Parcel II:

Commence at the NE corner of said ¼ ¼ section; thence South 00° 40' 12" East a distance of 1331.1 feet (Deed) to a point being the SE comer of the NE ¼ of the NE ¼ of Section 23, Township 20 South, Range 3 West; thence South 24° 36' 53" East a distance of 38.63 feet (Deed); thence North 89° 45' 37" West a distance of 513.00 feet (Deed) to the centerline of Buck Creek; thence North 09° 14' 09" West and along centerline of said creek, a distance of 127.64 feet (Deed); thence North 38° 03' 33" West and along centerline of said creek a distance of 151.69 feet (Deed); thence North 60° 01' 03" East a distance of 277.20 feet (Deed); thence North 59° 47' 41" East a distance of 197.92 feet to a point on the Westerly right of way line of (Pelham-

Helena Highway) Shelby County Highway No. 52 (60 foot right of way); thence continuing along last described course and crossing over said Highway No. 52 a distance of 60.78 feet to a point, said point lying on the Easterly right of way line of said Highway No. 52, said point also being the point of beginning; thence continue along last described course a distance of 14.71 feet; thence South 27° 27' 23" East a distance of 45.70 feet to a point, said point lying on the Easterly right of way line of Pelham-Helena Highway-Shelby County Highway No. 52 (60 foot right of way); said point also lying on a non-tangent curve to the right, having a radius of 265.00 feet, a central angle of 10° 14' 54" subtended by a chord which bears North 45° 32' 40" West, a chord distance of 47.34 feet; thence continue along the arc of said curve and said right of way line a distance of 47.40 feet to the point of beginning; being situated in Shelby County, Alabama.

Less and Except and part of subject property lying within a road right of way.