This instrument was prepared by: Mike T. Atchison P O Box 822 Columbiana, AL 35051

Send Tax Notice to: James & Martha Kidd P. O. Box 95 Wilsonville, Alabama 35186

## WARRANTY DEED, JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

STATE OF ALABAMA) SHELBY COUNTY)

Shelby Cnty Judge of Probate, AL 10/28/2005 04:16:43PM FILED/CERT

KNOW ALL MEN BY THESE PRESENTS, That in consideration FIVE THOUSAND AND NO/00 (\$5,000.00), 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,

JAMES KIDD and wife, MARTHA KIDD

Shelby County, AL 10/28/2005 State of Alabama

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

Deed Tax:\$5.00

## JAMES KIDD AND MARTHA KIDD

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

The W½ of the NE¼ lying Northwest of Highway, Section 31, Township 20 South, Range 2 East, Shelby County, Alabama.

LESS AND EXCEPT:

South 315 feet of the West 420 feet of NW¼ of NE¼, Section 31, Township 20 South, Range 2 East, Shelby County, Alabama.

LESS AND EXCEPT:

Beginning at intersection West line NE¼ and Northwest right of way Highway 25, NE 380 feet, NW 70 feet, North 160 feet, Southwest 130 feet, Northwest 120 feet and South 480 feet to point of beginning, Section 31, Township 20 South, Range 2 East, Shelby County, Alabama.

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

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 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 28<sup>th</sup> day of OCTOBER, 2005.

MARTHA KIDD

STATE OF ALABAMA) SHELBY COUNTY)

I, the undersigned authority, a Notary Public in and for said County, in said State hereby certify that

JAMES KIDD and wife, MARTHA KIDD

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 he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 28<sup>th</sup> day of OCTOBER, 2005.

Notary Public

My Commission Expires: 3-19-08