INSTRUMENT PREPARED WITHOUT BENEFIT OF TITLE SEARCH

This instrument was prepared by Mitchell A. Spears Attorney at Law

P.O. Box 119

205/665-5102

Montevallo, AL 35115-0091

205/665-5076

20051116000599550 1/2 \$99.00 Shelby Cnty Judge of Probate, AL 11/16/2005 02:39:38PM FILED/CERT

Send Tax Notice to:

Joseph M. Cardone (Name) (Address) P.O. Box 516

Montevallo, AL 35115

Warranty Deed, Jointly For Life With Remainder To Survivor

STATE OF ALABAMA SHELBY COUNTY

KNOW ALL MEN BY THESE PRESENTS,

That in consideration of EIGHTY FIVE THOUSAND DOLLARS AND 00/100 (\$85,000.00) to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt whereof is acknowledged, I (we),

DANIEL J. CARDONE, an unmarried man

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

JOSEPH M. CARDONE and DANIEL J. CARDONE

(herein referred to as GRANTEES for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, the following described real estate situated in SHELBY County, Alabama to-wit:

PARCEL I:

A parcel of land situated in Section 9, Township 22 South, Range 3 West, more particularly described as follows: Commence at a point that is 26 feet South of the North line of the S ½ of the SE ¼ of the SW ¼ and is 27 feet East of the West line of the SW ¼ of the SE ¼ of Section 9, Township 22 South, Range 3 West, thence run Northwest along a line that intersects the North line of the S ¼ and the East right of way of Shelby County Road No. 15 for a distance of 871.61 feet to the point of beginning; from the point of beginning thus obtained continue along the last described course for 208.71 feet; thence turn an angle to the left of 90 deg. 00 min. and run Southwest for 120.00 feet; thence turn an angle to the left of 90 deg. 00 min. and run Southeast for 208.71 feet; thence turn an angle to the left of 90 deg. 00 min. and run Northeast for 120.00 feet to the point of beginning; being situated in Shelby County, Alabama. Containing 0.575 acres, more or less. Also a 30 foot easement for ingress, egress and utilities along the North line of the above described property extending to the East right of way of Shelby County Road No. 15. All of the above described property lying in the S ¼ of the SE ¼ of the SW ¼ of Section 9, Township 22 South, Range 3 West; Shelby County, Alabama.

PARCEL II:

A parcel of land situated in Section 9, Township 22 South, Range 3 West, more particularly described as follows: Commence at the NW corner of the West half of the SW ¼ of the SE ¼ of Section 9, Township 22 South, Range 3 West; thence run SE for 1,016 feet to a point that is 27 feet East of the West line of said West half of the SW ¼ of the SE ¼; thence run West for 27 feet to the West line of the West half of said SW 1/4 of the SE 1/4; thence continue said course for 708.80 feet to the point of beginning of the parcel herein described; thence continue said course for 467.08 feet to the Easterly right of way line of Shelby County Road Number 15; thence run Southwesterly along the arc of a curve which is the Easterly right of way line of Shelby County Road Number 15 for 139.52 feet along said curve; thence run Easterly and parallel to the North line of the property herein described 539.76 feet; thence turn 90 degrees left and run Northerly for 120 feet to the point of beginning, all being situated in Shelby County, Alabama. This legal description was obtained from that certain survey of "CARDONE LAKE" (an unrecorded subdivision) completed on September 20, 2000 by Steven H. Gay, Alabama Registration PLS Number 17522, and is intended to describe Lot 2 of said survey.

LESS AND EXCEPT that portion of Parcel II which overlaps the legal description of Parcel I above. Such exception is made solely due to the fact that the legal description of Parcel II may overlap the legal description of said Parcel I.

SOURCE OF TITLE, PARCEL I: Warranty Deed recorded in the Office of the Probate Judge, Shelby County, Alabama at Instrument #1998-13517.

SOURCE OF TITLE, PARCEL II: Warranty Deed recorded in the Office of the Probate Judge, Shelby County, Alabama at Instrument #2002-17361.

TO HAVE AND TO HOLD to the said GRANTEES for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, and to the heirs and assigns for such survivor forever.

And I (we) do for myself (ourselves) and for my (our) heirs, executors, and administrators covenant with the said GRANTEES, 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 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 GRANTEES, their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, we have hereunto set our hand(s) and seal(s), this this thing day of 1000 miles.

DANIEL J. CARDONF

0051116000599550 2/2 \$99.00 Probate AL

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STATE OF ALABAMA
SHELBY COUNTY

I, the undersigned authority a Notary Public in and for said County, in said State, hereby certify that **DANIEL J. CARDONE** 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 the 15 day of Mumber

_, 2005.

Notary Public

My Commission Expires: 2/

Shelby County, AL 11/16/2005 State of Alabama

Deed Tax: \$85.00