20060405000156380 1/2 $15.00
Shelby Cnty Judge of Probate,AL
04/05/2006 10:01:30AM FILED/CERT

SEND TAX NOTICE TO:
(Name) Harry O. Burks, Jr. & Robbie Lynn Burks
(Address) P. O. Box 73
Shelby, AL 35143

THIS INSTRUMENT WAS PREPARED BY
WALLACE, ELLIS, FOWLER & HEAD
P. O. BOX 587
COLUMBIANA, ALABAMA 35051

WARRANTY DEED, JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

STATE OF ALABAMA
SHELBY COUNTY

KNOW ALL MEN BY THESE PRESENTS, That in consideration of **ONE HUNDRED SIXTY-FIVE THOUSAND AND NO/I00 ($165,000.00) DOLLARS**, which is secured by Purchase Money Mortgage executed simultaneously herewith, in hand paid by the GRANTEES herein, the receipt whereof is hereby acknowledged, I, **John David Tuten, as person representative of the Estate of W. C. Tuten, Deceased,** (herein referred to as grantor) do grant, bargain, sell and convey unto **Harry O. Burks, Jr. and wife, Robbie Lynn Burks** (herein referred to as GRANTEES), as joint tenants, with right of survivorship, the following described real estate situated in Shelby County, Alabama, to-wit:

A portion of the NW 1/4 of the NE 1/4 and the NE 1/4 of the NW 1/4 of Section 16, T-24-N, R-15-E, described as follows:

Begin at the S.W. corner of the N W 1/4 of the NE 1/4 of Section 16-T-24-N, R-15-E and run northerly along the west side of said quarter-quarter section for 30.01 ft. to the point of beginning. Then turn an angle of 91 deg. 46 min. 17 sec. to the right and run easterly for 48.28 ft., then turn an angle of 66 deg. 54 min. 10 sec. to the left and run northeasterly for 210.00 ft., then turn an angle of 113 deg. 05 min. 50 sec. to the left and run westerly for 314.92 ft. to a point on the east 200 ft. right of way of State Highway No. 145 (said point being on a curved portion of said R.O.W. said curve being concave southeasterly and having a radius of 7539.44 ft.), then turn an angle to the left and run southwesterly along said R.O.W. for 34.02 ft. to the end of said curved portion of said R.O.W., then run southwesterly along said R.O.W 176.00 ft., then turn an angle of 113 deg. 05 min. 10 sec. to the left and run easterly for 266.72 ft. back to the point of beginning. The above described parcel contains 1.397 acres, and is subject to the easements, rights of ways, and restrictions of record.
Also included with the above described parcel is an easement for access and egress described as follows:
Begin at the S.E. corner of the NE 1/4 of the NW 1/4 of Section 16, T-24-N, R-15-E and northerly along the east side of the said quarter-quarter section for 30.01 ft. to the point of beginning. Then turn an angle of 88 deg. 13 min. 43 sec. to the left and run westerly along the north side of the 30 ft. wide easement hereon described to the east R.O.W. of State Highway No. 145.
According to survey dated March 31, 1978, of William J. Egan, Jr., Reg. No. 10925.

Subject to the following:
1.Taxes for 2006 and subsequent years. 2006 ad valorem taxes are a lien but not due and payable until October 1, 2006.
2. Transmission line permits to Alabama Power Company recorded in Deed Book 139, page 129 and Deed Book 133, page 412.
3. Public road right of way to Shelby County, recorded in Deed Book 177, page 61; Deed Book 235, page 355 and Deed Book 238, page 872.
4. Easement to South Central Bell recorded in Deed Book 320, page 987.
5. Easement for Columbiana Water Board as shown on survey of William J. Egan, dated July 27, 1979.
6. Purchase Money Mortgage in the amount of $164,000.00 executed simultaneously herewith.

W. C. Tuten died on January 19, 2005, and his Last Will and Testament was admitted to probate in the Probate Court of Shelby County, Alabama, Case No. PR-2005-000079 on February 7, 2005. W. C. Tuten married Wanda Sturm Tuten in 1990. W. C. Tuten acquired the above described property prior to his marriage.

TO HAVE AND TO HOLD unto the said GRANTEES as joint tenants, with right of 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.

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IN WITNESS WHEREOF, I have hereunto set my hand and seal this 4 day of April, 2006.

John David Tuten personal representative (SEAL)
John David Tuten, as personal representative of the Estate of W. C. Tuten, Deceased

Shelby County, AL 04/05/2006
State of Alabama

Deed Tax:$1.00

STATE OF ALABAMA
SHELBY **COUNTY**

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that **John David Tuten,** whose name as personal representative of the Estate of W. C. Tuten, Deceased, 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, in his capacity as such personal representative of the Estate of W. C. Tuten, Deceased, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 4th day of April, 2006.

Lanice Brasher (SEAL)
Notary Public