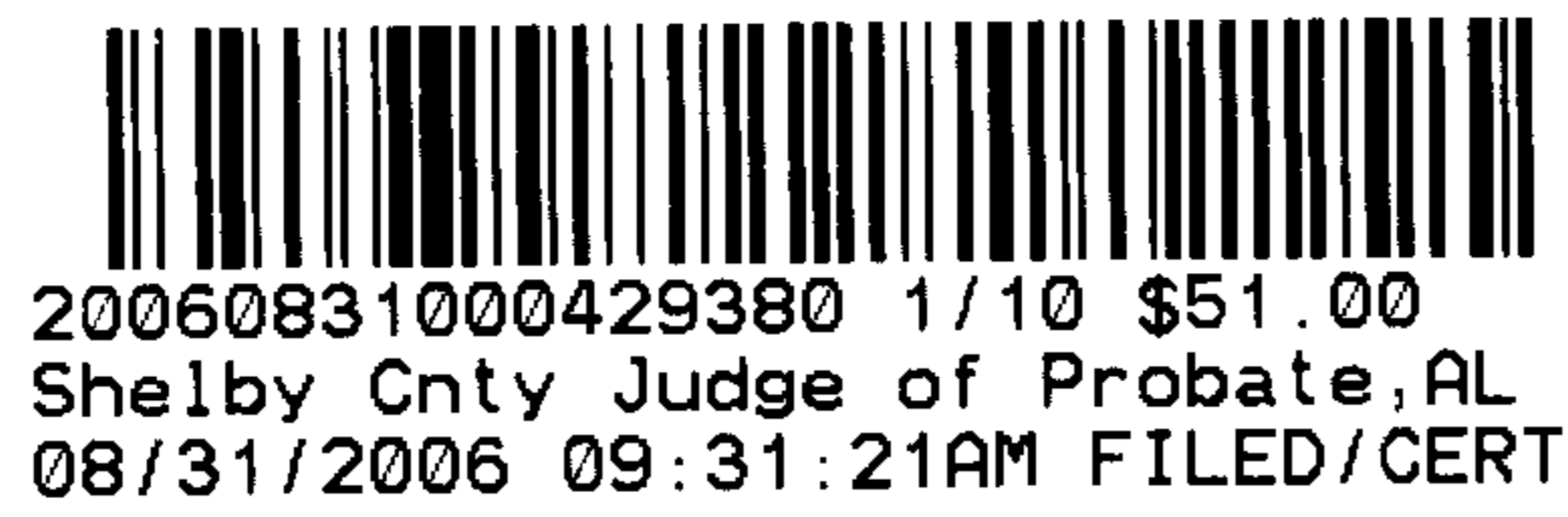


This instrument was prepared by  
Mitchell A. Spears  
Attorney at Law  
P.O. Box 119  
Montevallo, AL 35115-0091



205/665-5102  
205/665-5076

Send Tax Notice to:

(Name) Ernest A. Bacher  
(Address) 195 Dunwar Drive  
Calera, AL 35040

MINIMUM VALUE: \$10,000.00

Warranty Deed

STATE OF ALABAMA  
SHELBY COUNTY

KNOW ALL MEN BY THESE PRESENTS,

That in consideration of **ONE DOLLAR (\$1.00) AND OTHER GOOD AND VALUABLE CONSIDERATION** to the undersigned Grantor (whether one or more), in hand paid by the Grantee herein, the receipt whereof is acknowledged, I or we, **ERNEST A. BACHER, an unmarried man; MICHAEL A. BACHER, a married man; SHARON L. KILPATRICK, a married woman; JOHN P. BACHER, an unmarried man; and MARK S. BACHER, a married man** (herein referred to as Grantor, whether one or more), grant, bargain, sell and convey unto **ERNEST A. BACHER** (herein referred to as Grantee, whether one or more), the following described real estate, situated in **SHELBY** County, Alabama, to-wit:

Begin at the SW corner of the NW ¼ of NW ¼ Section 3, Township 24, Range 13 East and run in an Easterly direction along the Quarter Sec. Line 560' for point of beginning, thence North along the East line of Buck Freeman lot 547 ft. to the South R. of W. of the Calera – Montevallo highway, thence in an Easterly direction along the R. of W. of said highway 130 ft. more or less to the NW corner of the Edward O. Glass lot, thence South 210 ft., thence in an Easterly direction and parallel with said above named highway 210 ft. to the Sandlin property thence South to the Quarter Section line, thence West along the Quarter Sec. Line to point of beginning, containing 3 acres more or less and being in the NW ¼ of NW ¼, Sec. 3, Township 24, Range 13 East, Shelby County, Alabama.

Lot 1 Block Two, Dunwar Estates as recorded in Map Book 3, Page 154 in the office of the Probate Judge, Shelby County, Alabama.

**REFERENCE IS HEREBY MADE TO THE HEIRSHIP AFFIDAVIT, HERETO ATTACHED AS EXHIBIT "A", AND FULLY INCORPORATED HERewith; AND THE DISINTERESTED PARTY AFFIDAVIT, HERETO ATTACHED AS EXHIBIT "B", AND FULLY INCORPORATED HERewith.**

**THE REAL PROPERTY HEREINABOVE DESCRIBED DOES NOT CONSTITUTE THE HOMESTEAD OF ANY OTHER MARRIED GRANTORS, NOR THAT OF THEIR RESPECTIVE SPOUSES, NEITHER IS IT CONTIGUOUS THERETO.**

TO HAVE AND TO HOLD, to the said GRANTEE, his, her or their heirs and assigns forever.

And I (we) do, for myself (ourselves) and for my (our) heirs, executors and administrators covenant with the 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 27<sup>th</sup> day of August, 2006.

ERNEST A. BACHER

MICHAEL A. BACHER

SHARON L. KILPATRICK

JOHN P. BACHER

MARK S. BACHER

STATE OF ALABAMA )  
COUNTY OF SHELBY )

20060831000429380 2/10 \$51.00  
Shelby Cnty Judge of Probate, AL  
08/31/2006 09:31:21AM FILED/CERT

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that **ERNEST A. BACHER**, 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 24<sup>th</sup> day of Aug., 2006.

L. Michelle K. Stamp  
Notary Public  
My commission expires: 5/17/07

STATE OF ALABAMA )  
COUNTY OF Shelby )

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that **MICHAEL A. BACHER**, 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 27<sup>th</sup> day of August, 2006.

L. Michelle K. Stamp  
Notary Public  
My commission expires: 5/17/07

STATE OF ALABAMA )  
COUNTY OF SHELBY )

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that **SHARON L. KILPATRICK**, 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, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 27<sup>th</sup> day of August, 2006.

L. Michelle K. Stamp  
Notary Public  
My commission expires: 5/17/07

STATE OF ALABAMA )  
COUNTY OF SHELBY )

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that **JOHN P. BACHER**, 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 25<sup>th</sup> day of Aug., 2006.

L. Michelle K. Stamp  
Notary Public  
My commission expires: 5/17/07


STATE OF ALABAMA )  
COUNTY OF SHELBY )

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that **MARK S. BACHER**, 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 27<sup>th</sup> day of August, 2006.

L. Michelle K. Stamp  
Notary Public  
My commission expires: 5/17/07

STATE OF ALABAMA )  
COUNTY OF SHELBY )

  
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Shelby Cnty Judge of Probate, AL  
08/31/2006 09:31:21AM FILED/CERT

**HEIRSHIP AFFIDAVIT**  
**(EXHIBIT "A")**

COME NOW ERNEST A. BACHER, MICHAEL A. BACHER, SHARON L. KILPATRICK, JOHN P. BACHER, and MARK S. BACHER, as "Affiants" herein, and after first having been duly sworn, said Affiants do hereby depose and say as follows:

1. Affiants herein are each over the age of nineteen (19) years, competent to execute this Affidavit, and each Affiant has personal knowledge of the facts stated herein.
2. On or about April 11, 1955, Ernest A. Bacher and wife, Louise A. Bacher received a conveyance of certain real property situated in Shelby County, Alabama, pursuant to Warranty Deed recorded in the Office of the Probate Judge, Shelby County, Alabama at Deed Book 172, Page 411. Upon the face of said Warranty Deed, the name of Ernest A. Bacher, as a grantee, was entered as "Earnest A. Bacher". Ernest A. Bacher is one and the same person as "Earnest A. Bacher" as referenced upon the aforementioned Warranty Deed. Said real property is more particularly described, as follows:

Begin at the SW corner of the NW ¼ of NW ¼ Section 3, Township 24, Range 13 East and run in an Easterly direction along the Quarter Sec. Line 560' for point of beginning, thence North along the East line of Buck Freeman lot 547 ft. to the South R. of W. of the Calera – Montevallo highway, thence in an Easterly direction along the R. of W. of said highway 130 ft. more or less to the NW corner of the Edward O. Glass lot, thence South 210 ft., thence in an Easterly direction and parallel with said above named highway 210 ft. to the Sandlin property thence South to the Quarter Section line, thence West along the Quarter Sec. Line to point of beginning, containing 3 acres more or less and being in the NW ¼ of NW ¼, Sec. 3, Township 24, Range 13 East, Shelby County, Alabama.

3. On or about March 19, 1958, Ernest A. Bacher and wife, Louise A. Bacher received a conveyance of certain real property situated in Shelby County, Alabama, pursuant to Warranty Deed recorded in the Office of the Probate

*Return to: M. A. Speas*

Judge, Shelby County, Alabama, at Deed Book 192, Page 253. Said real property is more particularly described, as follows:

Lot 1 Block Two, Dunwar Estates as recorded in Map Book 3, Page 154 in the office of the Probate Judge, Shelby County, Alabama.

4. The recorded Warranty Deed hereinabove referenced within paragraph 3 of this Affidavit constitutes a Deed of Correction to correct the legal description of the Deed of Conveyance to Ernest A. Bacher and wife, Louise A. Bacher, dated on or about September 26, 1956, and recorded in the office of the Probate Judge, Shelby County, Alabama, at Deed Book 187, Page 489.
5. Louise A. Bacher died testate on or about July 10, 2006. Her Last Will and Testament has never been admitted for Probate, and no such probate of her Will is anticipated.
6. Upon the date of her decease, Louise A. Bacher left her husband and four children to survive her, all of whom are over the age of nineteen (19) years, and of sound mind. The names, relationships and addresses of the next-of-kin of Louise A. Bacher are hereinafter stated, as follows:


A) Ernest A. Bacher, surviving husband  
195 Dunwar Drive  
Calera, Alabama 35040

B) Michael A. Bacher, surviving son  
9250 Clubhouse Drive  
Foley, Alabama 36535

C) Sharon L. Kilpatrick, surviving daughter  
1001 Burnt Pine Drive  
Maylene, Alabama 35114


D) John P. Bacher, surviving son  
195 Dunwar Drive  
Calera, Alabama 35040

E) Mark S. Bacher, surviving son  
5007 Janet Lane  
Birmingham, Alabama 35210




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Shelby Cnty Judge of Probate, AL  
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7. Other than the above-referenced next-of-kin of Louise A. Bacher, she left no children to survive her, either natural or adopted; nor did she leave any other descendants of any predeceased children, either natural or adopted.
8. There are no outstanding debts or charges against the estate of Louise A. Bacher, as all of same have been fully paid and satisfied.
9. Ernest A. Bacher has been in actual possession of both parcels of real property hereinabove described since the date of the respective conveyances of same to himself and his now-deceased wife. There are no persons or entities who presently claim any right of possession or ownership in and to the above-described premises, other than the next-of-kin of Louise A. Bacher.

  
Ernest A. Bacher, Affiant

STATE OF ALABAMA     )  
COUNTY OF SHELBY    )

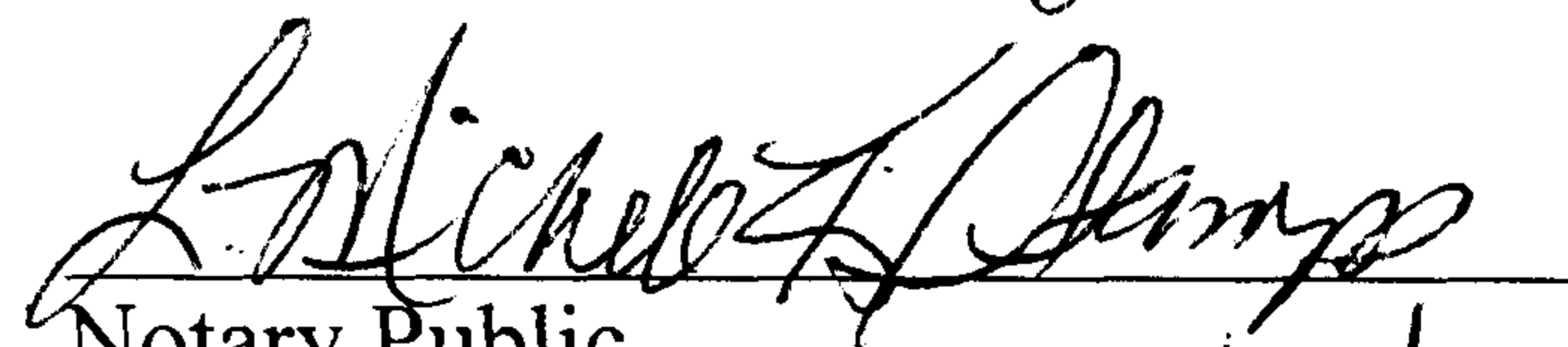
Sworn to and subscribed before me this the 24<sup>th</sup> day of August,  
2006.

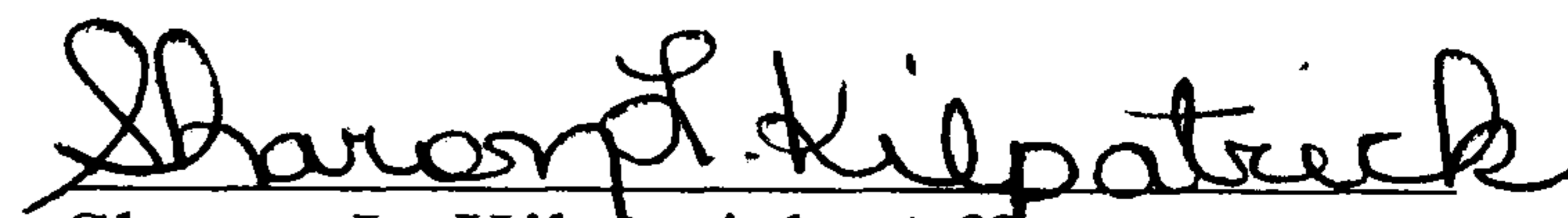
  
Notary Public  
My commission expires: 5/17/07

  
Michael A. Bacher, Affiant

STATE OF ALABAMA     )  
COUNTY OF Shelby    )

Sworn to and subscribed before me this the 20<sup>th</sup> day of August,  
2006.

  
Notary Public  
My commission expires: 5/17/07

  
Sharon L. Kilpatrick, Affiant

20060831000429380 6/10 \$51.00  
Shelby Cnty Judge of Probate, AL  
08/31/2006 09:31:21AM FILED/CERT

STATE OF ALABAMA )  
COUNTY OF SHELBY )

Sworn to and subscribed before me this the 2<sup>nd</sup> day of August,  
2006.

L. Michelle K. Stamps  
Notary Public  
My commission expires: 5/17/07

John P. Bacher  
John P. Bacher, Affiant

STATE OF ALABAMA )  
COUNTY OF SHELBY )

Sworn to and subscribed before me this the 25<sup>th</sup> day of Aug,  
2006.

L. Michelle K. Stamps  
Notary Public  
My commission expires: 5/17/07


Mark S. Bacher  
Mark S. Bacher, Affiant

STATE OF ALABAMA )  
COUNTY OF Shelby )

Sworn to and subscribed before me this the 27<sup>th</sup> day of August,  
2006.

L. Michelle K. Stamps  
Notary Public  
My commission expires: 5/17/07

STATE OF ALABAMA     )  
COUNTY OF SHELBY    )

  
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Shelby Cnty Judge of Probate, AL  
08/31/2006 09:31:21AM FILED/CERT

**DISINTERESTED PARTY AFFIDAVIT**  
**(EXHIBIT "B")**

COME NOW **DONALD J. DAVIS and PATSY J. DAVIS, as "Affiants"**  
herein, and after first having been duly sworn, said Affiants do hereby depose and say as follows:

1. Affiants herein are husband and wife, and reside at 440 Parkway Circle, Montevallo, Alabama 35115. Affiant, Donald J, Davis, is over the age of seventy-two (72) years, and Affiant, Patsy J. Davis, is over the age of sixty-three (63) years. Both Affiants have personal knowledge of the facts stated herein and are competent to execute this Affidavit, as they are familiar with the family history of Ernest A. Bacher and his deceased wife, Louise A. Bacher, having known them and their family members for a period exceeding forty (40) years.
2. On or about April 11, 1955, Ernest A. Bacher and wife, Louise A. Bacher received a conveyance of certain real property situated in Shelby County, Alabama, pursuant to Warranty Deed recorded in the Office of the Probate Judge, Shelby County, Alabama at Deed Book 172, Page 411. Upon the face of said Warranty Deed, the name of Ernest A. Bacher, as a grantee, was entered as "Earnest A. Bacher". Ernest A. Bacher is one and the same person as "Earnest A. Bacher" as referenced upon the aforementioned Warranty Deed. Said real property is more particularly described, as follows:

Begin at the SW corner of the NW ¼ of NW ¼ Section 3, Township 24, Range 13 East and run in an Easterly direction along the Quarter Sec. Line 560' for point of beginning, thence North along the East line of Buck Freeman lot 547 ft. to the South R. of W. of the Calera – Montevallo highway, thence in an Easterly direction along the R. of W. of said highway 130 ft. more or less to the NW corner of the Edward O. Glass lot, thence South 210 ft., thence in an Easterly direction and parallel with said above named highway 210 ft. to the Sandlin property thence South to the Quarter Section line, thence West along the Quarter Sec. Line to point of beginning, containing 3 acres more or

*Notarized and attested to by me*

less and being in the NW  $\frac{1}{4}$  of NW  $\frac{1}{4}$ , Sec. 3, Township 24, Range 13 East, Shelby County, Alabama.

3. On or about March 19, 1958, Ernest A. Bacher and wife, Louise A. Bacher received a conveyance of certain real property situated in Shelby County, Alabama, pursuant to Warranty Deed recorded in the Office of the Probate Judge, Shelby County, Alabama, at Deed Book 192, Page 253. Said real property is more particularly described, as follows:


Lot 1 Block Two, Dunwar Estates as recorded in Map Book 3, Page 154 in the office of the Probate Judge, Shelby County, Alabama.

4. The recorded Warranty Deed hereinabove referenced within paragraph 3 of this Affidavit constitutes a Deed of Correction to correct the legal description of the Deed of Conveyance to Ernest A. Bacher and wife, Louise A. Bacher, dated on or about September 26, 1956, and recorded in the office of the Probate Judge, Shelby County, Alabama, at Deed Book 187, Page 489.
5. Louise A. Bacher died testate on or about July 10, 2006. Her Last Will and Testament has never been admitted for Probate, and no such probate of her Will is anticipated.
6. Upon the date of her decease, Louise A. Bacher left her husband and four children to survive her, all of whom are over the age of nineteen (19) years, and of sound mind. The names, relationships and addresses of the next-of-kin of Louise A. Bacher are hereinafter stated, as follows:

- A) Ernest A. Bacher, surviving husband  
195 Dunwar Drive  
Calera, Alabama 35040
- B) Michael A. Bacher, surviving son  
9250 Clubhouse Drive  
Foley, Alabama 36535
- C) Sharon L. Kilpatrick, surviving daughter  
1001 Burnt Pine Drive  
Maylene, Alabama 35114
- D) John P. Bacher, surviving son



195 Dunwar Drive  
Calera, Alabama 35040

  
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Shelby Cnty Judge of Probate, AL  
08/31/2006 09:31:21AM FILED/CERT


E) Mark S. Bacher, surviving son  
5007 Janet Lane  
Birmingham, Alabama 35210

7. Other than the above-referenced next-of-kin of Louise A. Bacher, she left no children to survive her, either natural or adopted; nor did she leave any other descendants of any predeceased children, either natural or adopted.
8. Ernest A. Bacher has been in actual possession of both parcels of real property hereinabove described since the date of the respective conveyances of same to himself and his now-deceased wife. There are no persons or entities who presently claim any right of possession or ownership in and to the above-described premises, other than the next-of-kin of Louise A. Bacher.
9. The Affiants herein have no personal or pecuniary interest in or to the hereinabove referenced real property and are not related by blood or marriage to the next-of-kin of Louise A. Bacher.

  
Donald J. Davis, Affiant

STATE OF ALABAMA     )  
COUNTY OF SHELBY    )

Sworn to and subscribed before me this the 24 day of AUG.,  
2006.


  
Notary Public  
My commission expires: 5/17/07

Patsy J. Davis  
Patsy J. Davis, Affiant

STATE OF ALABAMA     )  
COUNTY OF SHELBY    )

Sworn to and subscribed before me this the 24 day of Aug,  
2006.

Lonnie K. Damp  
Notary Public  
My commission expires: 5/17/07

  
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Shelby Cnty Judge of Probate, AL  
08/31/2006 09:31:21AM FILED/CERT

Shelby County, AL 08/31/2006  
State of Alabama  
Deed Tax: \$10.00