

City of Chelsea

P.O. Box 111
Chelsea, Alabama


20061108000549430 1/15 \$54.00
Shelby Cnty Judge of Probate, AL
11/08/2006 01:28:03PM FILED/CERT

Certification Of Annexation Ordinance

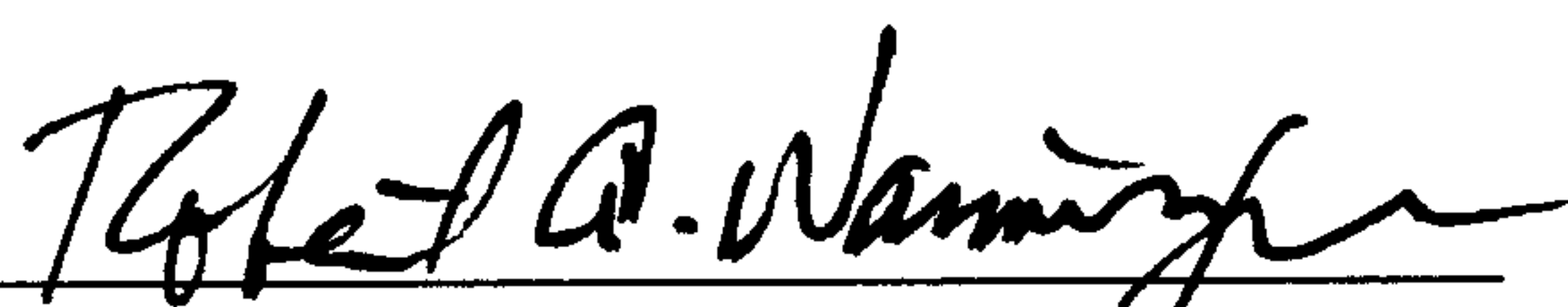
Ordinance Number: X-06-10-17-339

Property Owner(s): Lewis E. Atchison
Frank I. Owen
Kerry R. Nivens

Property: 09-8-27-0-001-003.000
09-8-28-0-001-020.000
09-8-27-0-001-015.003

I, Robert Wanninger, City Clerk of the City of Chelsea, Alabama, hereby certify the attached to be a true and correct copy of an Ordinance adopted by the City Council of Chelsea, at the regular meeting held on October 17, 2006, as same appears in minutes of record of said meeting, and published by posting copies thereof on October 18, 2006 at the public places listed below, which copies remained posted for five business days (through October 25, 2006).

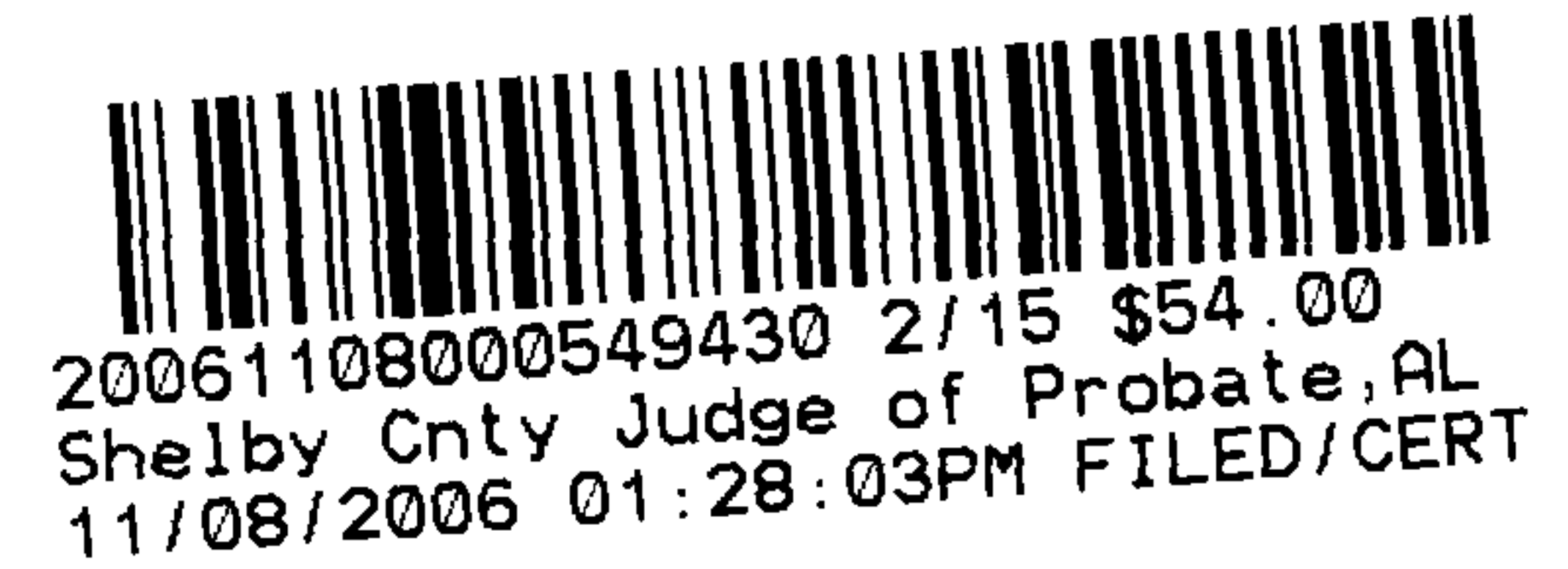
Chelsea Middle School, 901 Highway 39, Chelsea, Alabama 35043
Chelsea City Hall, 11611 Chelsea Highway, Chelsea, Alabama 35043
U.S. Post Office, Highway 280, Chelsea, Alabama 35043


Robert A. Wanninger, City Clerk

City of Chelsea, Alabama

Annexation Ordinance No. X-06-10-17-339

Property Owner(s): Lewis E. Atchison
Frank I. Owen
Kerry R. Nivens



Property: 09-8-27-0-001-003.000
09-8-28-0-001-020.000
09-8-27-0-001-015.003

Pursuant to the provisions of Section 11-42-21 of the Code of Alabama (1975),

Whereas, the attached written petitions requesting that the above-noted properties be annexed to the City of Chelsea have been filed with the Chelsea city clerk; and

Whereas, said petitions has been signed by the owners of said properties; and

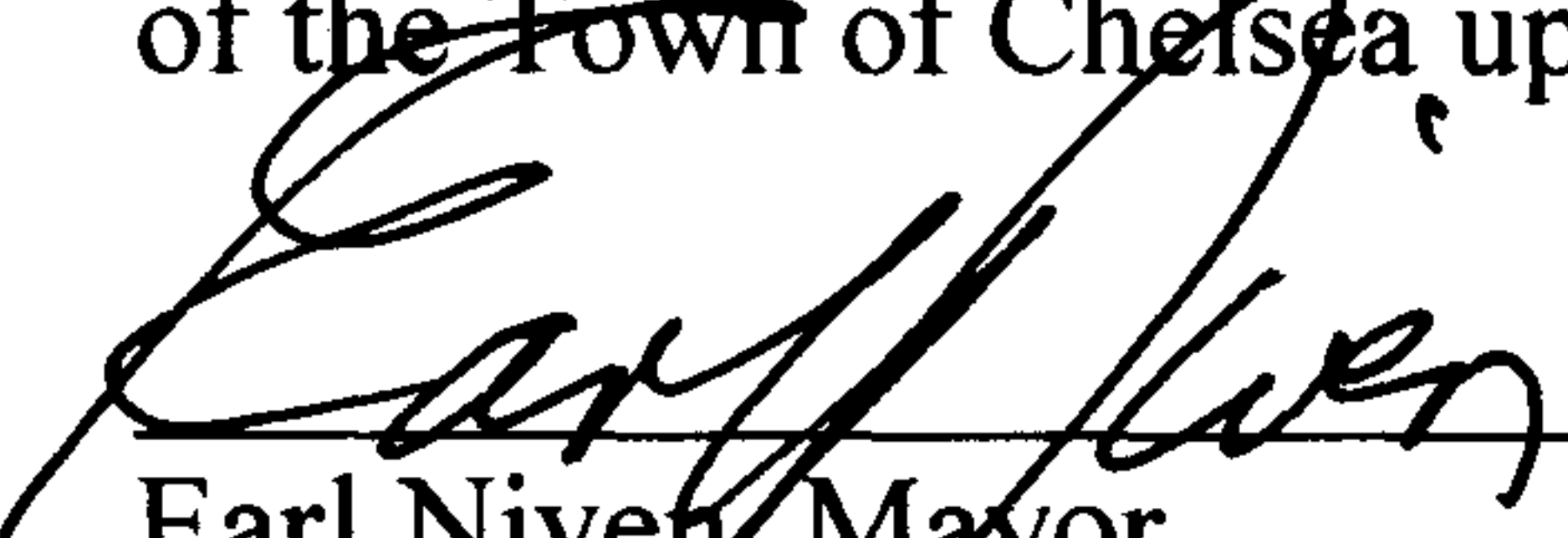
Whereas, said petitions contain (as Petition Exhibits A&B) an accurate description of said properties together with a map of said properties (Exhibit C) showing the relationship of said properties to the corporate limits of Chelsea; and

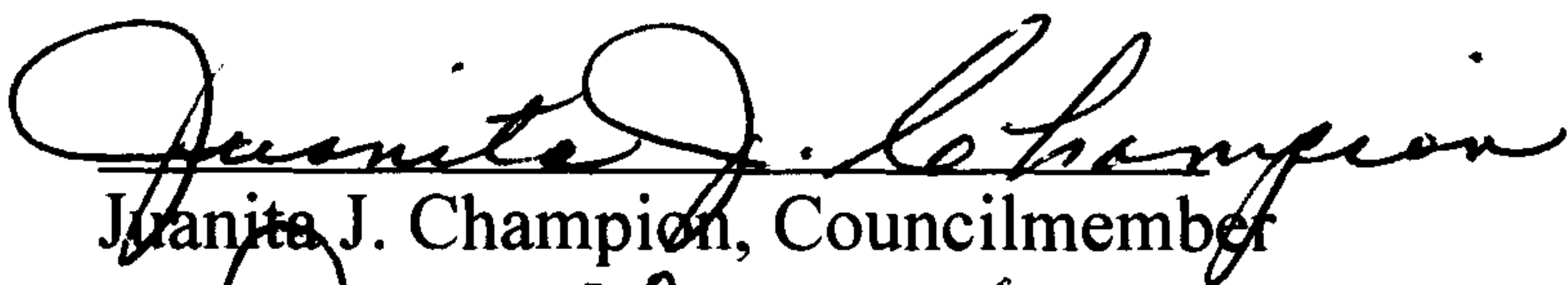
Whereas, said properties are contiguous to the corporate limits of Chelsea, or are a part of a group of properties submitted at the same time for annexation which together is contiguous to the corporate limits of Chelsea;

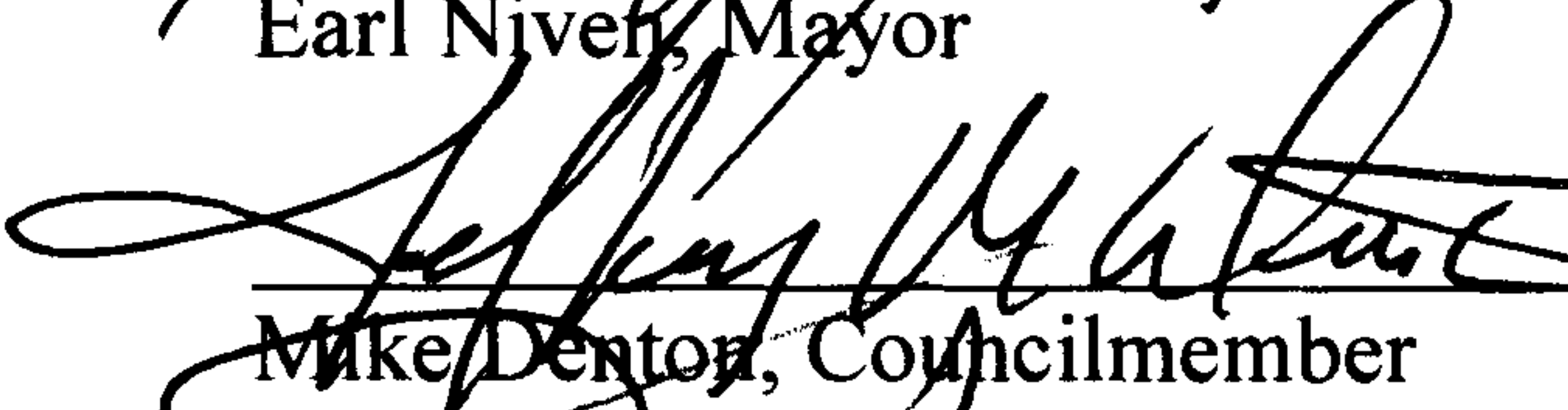
Whereas, said territories do not lie within the corporate limits of any other municipality.

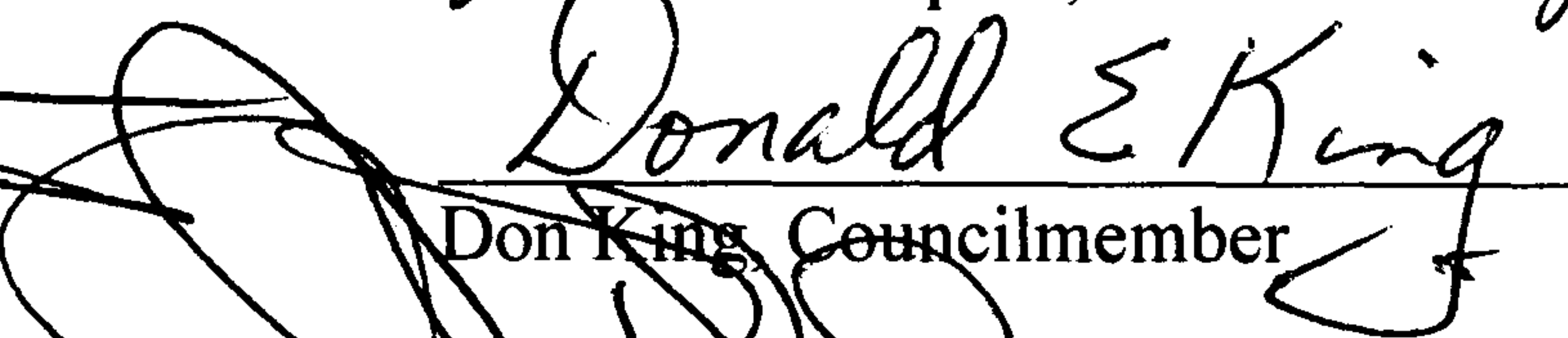
Therefore, be it ordained that the town council of the City of Chelsea assents to the said annexation: and

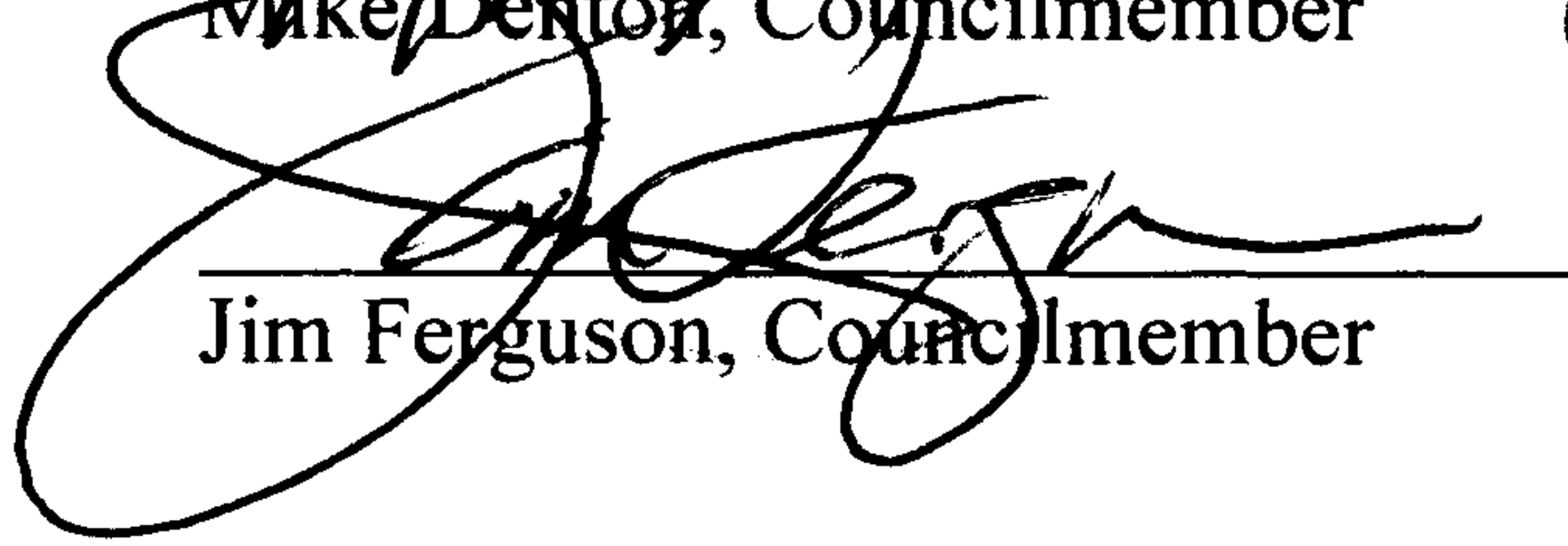
Be it further ordained that the corporate limits of Chelsea be extended and rearranged so as to embrace and include said properties, and said properties shall become a part of the corporate area of the Town of Chelsea upon the date of publication of this ordinance as required by law.

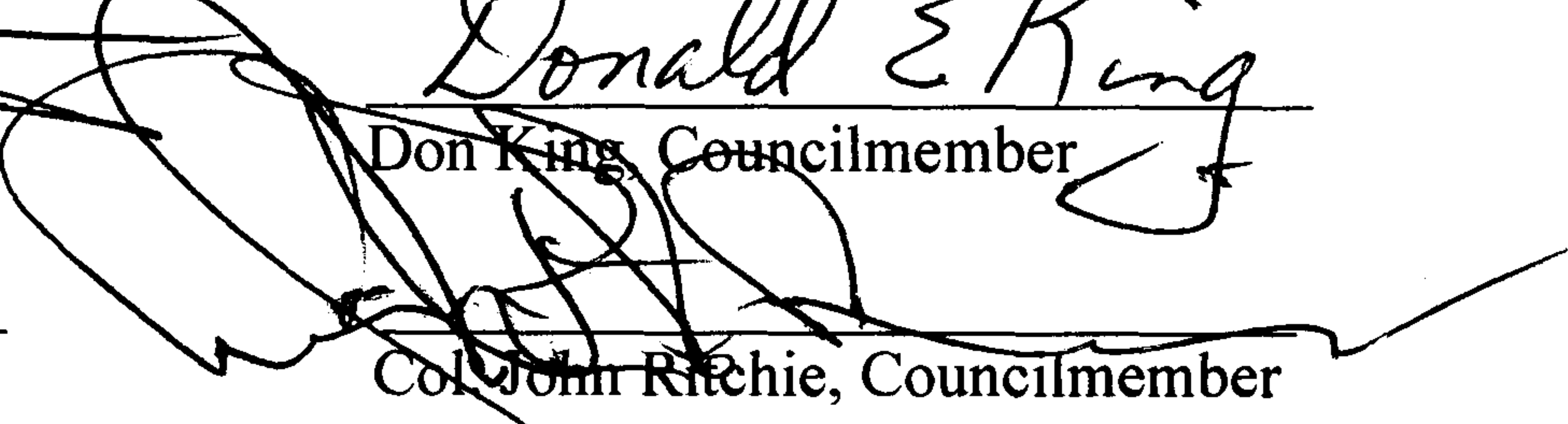

Earl Niven, Mayor


Juanita J. Champion, Councilmember


Mike Denton, Councilmember


Don King, Councilmember


Jim Ferguson, Councilmember

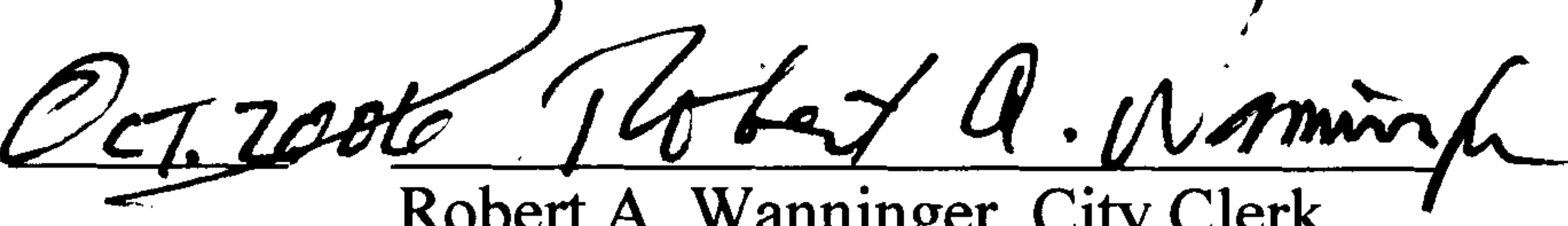

Col. John Ritchie, Councilmember

Passed and approved

17th

day of

Oct. 2006


Robert A. Wanninger, City Clerk

Petition Exhibit A

Property owner(s): Lewis E. Atchison, Frank I. Owen, Kerry R. Nivens

Property: 09-8-27-0-001-003.000
09-8-28-0-001-020.000
09-8-27-0-001-015.003

Property Description

The above-noted properties, for which annexation into Chelsea is requested in this petition, are described in the attached copy of the deeds (Petition Exhibit B). Which were recorded with the Shelby County judge of probate as Instrument Numbers 1993-36859, 1993-36857, 1993-31556, 1993-35962.

Further, the said properties for which annexation into Chelsea is requested in this petition are shown in the indicated shaded area on the attached map in Petition Exhibit C. Said map also shows the contiguous relationship of said property to the corporate limits of Chelsea.

The said properties, for which annexation into Chelsea is requested in this petition, do not lie within the corporate limits of any other municipality.


20061108000549430 3/15 \$54.00
Shelby Cnty Judge of Probate, AL
11/08/2006 01:28:03PM FILED/CERT

City Clerk
City of Chelsea
P.O. Box 111
Chelsea, Alabama 35043


20061108000549430 4/15 \$54.00
Shelby Cnty Judge of Probate, AL
11/08/2006 01:28:03PM FILED/CERT

Petition for Annexation

The undersigned owner(s) of the property which is described in the attached "Exhibit A" and which either is contiguous to the corporate limits of the City of Chelsea, or is a part of a group of properties which together are contiguous to the corporate limits of Chelsea, do hereby petition the City of Chelsea to annex said property into the corporate limits of the municipality.

Done the 12TH day of Oct., 2006.

Regina Horton
Witness

Lewis E. Atchison, Sr.
Owner Signature

LEWIS E. ATCHISON, SR.
Print name
P.O. Box 362
COLUMBIANA, AL 35051
Mailing Address

CHESSER ROAD
Property Address (if different)

205-669-6120
Telephone Number

Regina Horton
Witness

Frank J. Over
Owner Signature

FRANK J. OVER
Print Name
405 Highway 30
Chelsea, AL 35051
Mailing Address

CHESSER ROAD
Property Address

205-669-7638
Telephone number

(All owners listed on the deed must sign)

City Clerk
City of Chelsea
P.O. Box 111
Chelsea, Alabama 35043


20061108000549430 5/15 \$54.00
Shelby Cnty Judge of Probate, AL
11/08/2006 01:28:03PM FILED/CERT

Petition for Annexation

The undersigned owner(s) of the property which is described in the attached "Exhibit A" and which either is contiguous to the corporate limits of the City of Chelsea, or is a part of a group of properties which together are contiguous to the corporate limits of Chelsea, do hereby petition the City of Chelsea to annex said property into the corporate limits of the municipality.

Done the 12TH day of OCT., 2006.

Regina Horton
Witness

Kerry R. Nivens
Owner Signature

KERRY R. NIVENS
Print name
PO Box 1621
130 High Hampton Drive
Pelham ALABAMA 35124

Mailing Address

CHESSER ROAD
Property Address (if different)

205-621-0322
Telephone Number

Witness

Owner Signature

Print Name

Mailing Address

Property Address

Telephone number

(All owners listed on the deed must sign)

SEND TAX NOTICE TO:

(Name) Frank I. Owen
107 Perry Road
(Address) Columbiana, AL 35051

This instrument was prepared by
(Name) WALLACE, ELLIS, FOWLER & HEAD, ATTORNEYS AT LAW
(Address) COLUMBIANA, ALABAMA 35051

Form 1-1-97 Rev. 1-06
WARRANTY DEED—Lawyers Title Insurance Corporation, Birmingham, Alabama

STATE OF ALABAMA
SHELBY COUNTY } KNOW ALL MEN BY THESE PRESENTS:

That in consideration of TEN THOUSAND AND NO/100 (\$10,000.00)
AND THE EXECUTION OF A PURCHASE MONEY MORTGAGE IN THE AMOUNT OF \$46,000.00

to the undersigned grantor (whether one or more), in hand paid by the grantee herein, the receipt whereof is acknowledged, I
or we,
Kerry R. Nivens, a married man

(herein referred to as grantor, whether one or more), grant, bargain, sell and convey unto
Frank I. Owen

(herein referred to as grantee, whether one or more), an undivided one-third interest in and to
the following described real estate, situated in
SHELBY County, Alabama, to-wit:

PROPERTY BEING DESCRIBED ON EXHIBIT "A" ATTACHED HERETO AND
MADE PART AND PARCEL HEREOF AND INCORPORATED BY REFERENCE
AS FULLY AS IF SET OUT HEREBIN, WHICH SAID EXHIBIT IS SIGNED
FOR THE PURPOSE OF IDENTIFICATION.

The above described property does not constitute any part
of the homestead of the grantor or his spouse.

20061108000549430 6/15 \$54.00
Shelby Cnty Judge of Probate, AL
11/08/2006 01:28:03PM FILED/CERT

Inst # 1993-26857

11/19/1993-26857
10:05 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
DRE MD 12.06

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, 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 said GRANTEE, their heirs and assigns forever.

IN WITNESS WHEREOF, I have hereunto set my hands and seal, this 19th day of November, 1993.

(Seal)
(Seal)
(Seal)

Kerry R. Nivens (Seal)
Kerry R. Nivens
(Seal)
(Seal)

STATE OF ALABAMA
SHELBY COUNTY }

General Acknowledgment

I, the undersigned authority, hereby certify that Kerry R. Nivens, a married man is a Notary Public in and for said County, in said State, 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 19th day of November, 1993.

Conrad M. Foster
Notary Public

EXHIBIT "A"

AN UNDIVIDED ONE-THIRD (1/3) INTEREST IN THE FOLLOWING DESCRIBED PARCELS OF PROPERTY:

PARCEL 1

Beginning at the Northeast corner of the NW 1/4 of SW 1/4, Section 27, Township 19 South, Range 1 West; thence run southerly along the East boundary line of said NW 1/4 of SW 1/4, a distance of 408.89 feet to a point on the North right-of-way line of Highway US 280; thence turn an angle of 70 degrees 29 minutes 21 seconds to the right and run along said right-of-way line a distance of 101.36 feet to a concrete monument found in place; thence turn an angle of 13 degrees 26 minutes 47 seconds to the right and continue along said right-of-way line a distance of 166.46 feet to a point; thence turn an angle of 20 degrees 19 minutes 13 seconds to the left and continue along said right-of-way line a distance of 182.40 feet to a concrete monument found in place; thence turn an angle of 2 degrees 32 minutes 16 seconds to the right and continue along said right-of-way line a distance of 251.26 feet to a concrete monument found in place; thence turn an angle of 32 degrees 55 minutes 21 seconds to the right and continue along said right-of-way line and along a curve to the right (concave northeasterly and having a radius of 2684.79 feet and a central angle of 15 degrees 21 minutes 08 seconds) an arc distance of 719.31 feet to a point; thence turn an angle of 5 degrees 46 minutes 07 seconds to the right from the tangent of said curve and continue along said right-of-way line a distance of 735.76 feet to a point; thence turn an angle of 36 degrees 03 minutes 59 seconds to the right and continue along said right-of-way line a distance of 41.88 feet to an iron rod found in place on the North boundary line of the NE 1/4 of SE 1/4, Section 28, Township 19 South, Range 1 West; thence turn an angle of 114 degrees 22 minutes 44 seconds to the right and leaving said right-of-way line, run easterly along said North boundary line of the NE 1/4 of SE 1/4 a distance of 659.34 feet to the Northwest corner of the NW 1/4 of SW 1/4, Section 27 Township 19 South, Range 1 West; thence turn an angle of 2 degrees 10 minutes 14 seconds to the left and run along the North boundary line of said NW 1/4 of SW 1/4 a distance of 1325.01 feet to the point of beginning. Said tract of land is lying in the NW 1/4 of SW 1/4, Section 27, Township 19 South, Range 1 West and the NE 1/4 of SE 1/4, Section 28, Township 19 South, Range 1 West.

PARCEL 2

A parcel of land lying between Shelby County Highway No. 280 and US Highway 280 in the NW 1/4 of SW 1/4, Section 27, Township 19 South, Range 1 West and more particularly described as follows:

Commence at the NE corner of the NW 1/4 of SW 1/4, Section 27, Township 19 South, Range 1 West; thence run southerly along the East boundary line of said NW 1/4 of SW 1/4 a distance of 504.34 feet to a point on the Southern right-of-way line of Shelby County Highway No. 280 and the point of beginning of the parcel herein described; thence continue along the same line a distance of 132.43 feet to a point on the Northern right-of-way of US Highway No. 280; thence turn an angle of 77 degrees 36 minutes 30 seconds to the right and run along the right-of-way line a distance of 64.49 feet to a concrete right-of-way monument found in place; thence turn an angle of 97 degrees 32 minutes 26 seconds to the right and run a distance of 119.56 feet to a concrete right-of-way monument found in place; thence turn an angle of 74 degrees 29 minutes 02 seconds to the right and run along the right-of-way line a distance of 77.98 feet to the point of beginning. Said parcel is lying in the NW 1/4 of SW 1/4, Section 27, Township 19 South, Range 1 West.

SIGNED FOR IDENTIFICATION:

Kerry R. Nivens
Kerry R. Nivens



20061108000549430 7/15 \$54.00
Shelby Cnty Judge of Probate, AL
11/08/2006 01:28:03PM FILED/CERT

Inst # 1993-36857

11/19/1993-36857
10:05 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
ONE MCS 22.00

SEND TAX NOTICE TO:

(Name) Lewis E. Atchison, Sr.
P.O. Box 1417
 (Address) Columbiana, AL 35051

This instrument was prepared by

(Name) WALLACE, ELLIS, FOWLER & HEAD, ATTORNEYS AT LAW
 (Address) COLUMBIANA, ALABAMA 35051

Form 1-1-87 Rev. 1-88

WARRANTY DEED—Lawyers Title Insurance Corporation, Birmingham, Alabama

STATE OF ALABAMA

SHELBY

COUNTY

KNOW ALL MEN BY THESE PRESENTS,

That in consideration of TEN THOUSAND AND NO/100 (\$10,000.00)
 AND THE EXECUTION OF A PURCHASE MONEY MORTGAGE IN THE AMOUNT OF \$46,000.00

to the undersigned grantor (whether one or more), in hand paid by the grantee herein, the receipt whereof is acknowledged, I
 or we,

Kerry R. Nivens, a married man

(herein referred to as grantor, whether one or more), grant, bargain, sell and convey unto
Lewis E. Atchison, Sr.

(herein referred to as grantee, whether one or more) an undivided one-third interest in and to
 the following described real estate, situated in
SHELBY County, Alabama, to-wit:

PROPERTY BEING DESCRIBED ON EXHIBIT "A" ATTACHED HERETO AND
 MADE PART AND PARCEL HEREOF AND INCORPORATED BY REFERENCE
 AS FULLY AS IF SET OUT HEREIN, WHICH SAID EXHIBIT IS SIGNED
 FOR THE PURPOSE OF IDENTIFICATION.

The above described property does not constitute any part
 of the homestead of the grantor or his spouse.



20061108000549430 8/15 \$54.00
 Shelby Cnty Judge of Probate, AL
 11/08/2006 01:28:03PM FILED/CERT

Inst # 1993-36859

11/19/1993-36859
 10:05 AM CERTIFIED
 SHELBY COUNTY JUDGE OF PROBATE
 ONE MC 22.00

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, 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 said GRANTEE, their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, I, have hereunto set my hands and seal, this 19th
 day of November, 1993.

(Seal)

Kerry R. Nivens
 Kerry R. Nivens (Seal)

(Seal)

(Seal)

(Seal)

(Seal)

STATE OF ALABAMA

SHELBY

COUNTY

General Acknowledgment

I, the undersigned authority, hereby certify that Kerry R. Nivens, a married man is a Notary Public in and for said County, in said State, 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 19th day of November, A. D., 1993.

[Signature]
 Notary Public

EXHIBIT "A"

AN UNDIVIDED ONE-THIRD (1/3) INTEREST IN THE FOLLOWING DESCRIBED PARCELS OF PROPERTY:

PARCEL 1

Beginning at the Northeast corner of the NW 1/4 of SW 1/4, Section 27, Township 19 South, Range 1 West; thence run southerly along the East boundary line of said NW 1/4 of SW 1/4, a distance of 408.89 feet to a point on the North right-of-way line of Highway US 280; thence turn an angle of 70 degrees 29 minutes 21 seconds to the right and run along said right-of-way line a distance of 101.36 feet to a concrete monument found in place; thence turn an angle of 13 degrees 26 minutes 47 seconds to the right and continue along said right-of-way line a distance of 166.46 feet to a point; thence turn an angle of 30 degrees 19 minutes 13 seconds to the left and continue along said right-of-way line a distance of 182.40 feet to a concrete monument found in place; thence turn an angle of 2 degrees 32 minutes 16 seconds to the right and continue along said right-of-way line a distance of 251.26 feet to a concrete monument found in place; thence turn an angle of 32 degrees 55 minutes 23 seconds to the right and continue along said right-of-way line and along a curve to the right (concave Northeasterly and having a radius of 2684.79 feet and a central angle of 15 degrees 21 minutes 08 seconds) an arc distance of 719.31 feet to a point; thence turn an angle of 5 degrees 46 minutes 07 seconds to the right from the tangent of said curve and continue along said right-of-way line a distance of 735.76 feet to a point; thence turn an angle of 35 degrees 03 minutes 59 seconds to the right and continue along said right-of-way line a distance of 41.89 feet to an iron rod found in place on the North boundary line of the NE 1/4 of SE 1/4, Section 28, Township 19 South, Range 1 West; thence turn an angle of 114 degrees 22 minutes 44 seconds to the right and leaving said right-of-way line, run Easterly along said North boundary line of the NE 1/4 of SE 1/4 a distance of 669.34 feet to the Northwest corner of the NW 1/4 of SW 1/4, Section 27 Township 19 South, Range 1 West; thence turn an angle of 2 degrees 10 minutes 14 seconds to the left and run along the North boundary line of said NW 1/4 of SW 1/4 a distance of 1328.01 feet to the point of beginning. Said tract of land is lying in the NW 1/4 of SW 1/4, Section 27, Township 19 South, Range 1 West and the NE 1/4 of SE 1/4, Section 28, Township 19 South, Range 1 West.

PARCEL 2

A parcel of land lying between Shelby County Highway No. 280 and US Highway 280 in the NW 1/4 of SW 1/4, Section 27, Township 19 South, Range 1 West and more particularly described as follows:

Commence at the NE corner of the NW 1/4 of SW 1/4, Section 27, Township 19 South, Range 1 West; thence run southerly along the East boundary line of said NW 1/4 of SW 1/4 a distance of 504.34 feet to a point on the Southern right-of-way line of Shelby County Highway No. 280 and the point of beginning of the parcel herein described; thence continue along the same line a distance of 132.43 feet to a point on the Northern right-of-way of US Highway No. 280; thence turn an angle of 77 degrees 36 minutes 30 seconds to the right and run along the right-of-way line a distance of 64.49 feet to a concrete right-of-way monument found in place; thence turn an angle of 97 degrees 32 minutes 26 seconds to the right and run a distance of 119.56 feet to a concrete right-of-way monument found in place; thence turn an angle of 74 degrees 29 minutes 02 seconds to the right and run along the right-of-way line a distance of 77.98 feet to the point of beginning. Said parcel is lying in the NW 1/4 of SW 1/4, Section 27, Township 19 South, Range 1 West.

SIGNED FOR IDENTIFICATION:

Kerry R. Nivens
Kerry R. Nivens

Inst # 1993-36859

10105 AM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE
002 MCB 22.00



20061108000549430 9/15 \$54.00
Shelby Cnty Judge of Probate, AL
11/08/2006 01:28:03PM FILED/CERT

SEND TAX NOTICE TO:

(Name) KERRY R. NIVENS
119 Pine Tree Circle
 (Address) COLUMBIANA, AL 35051

This instrument was prepared by

(Name) WALLACE, BILLIS, FOWLER & HEAD, ATTORNEYS AT LAW

(Address) COLUMBIANA, ALABAMA 35051

Form 1-1-17 Rev. 3-14

WARRANTY DEED—Lawyers Title Insurance Corporation, Birmingham, Alabama

STATE OF ALABAMA

SHELBY

COUNTY

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of CASH AND NO/100 (\$1.00) AND OTHER GOOD AND VALUABLE CONSIDERATIONS

to the undersigned grantor (whether one or more), in hand paid by the grantee herein, the receipt whereof is acknowledged, I or we, Kerry R. Nivens and Mary N. Woolley as Co-Executors of the Estate of Bertha N. Nivens, deceased; Kerry R. Nivens, a married man, individually; and Mary N. Woolley, a single woman, individually

(herein referred to as grantor, whether one or more), grant, bargain, sell and convey unto

Kerry R. Nivens

(herein referred to as grantee, whether one or more), the following described real estate, situated in Shelby County, Alabama, to-wit:

A parcel of land lying between Shelby County Highway No. 280 and US Highway 280 in the NW 1/4 of SW 1/4, Section 27, Township 19 South, Range 1 West and more particularly described as follows:

Commence at the NE corner of the NW 1/4 of SW 1/4, Section 27, Township 19 South, Range 1 West; thence run southerly along the East boundary line of said NW 1/4 of SW 1/4 a distance of 504.34 feet to a point on the Southern right-of-way line of Shelby County Highway No. 280 and the point of beginning of the parcel herein described; thence continue along the same line a distance of 132.43 feet to a point on the Northern right-of-way of US Highway No. 280; thence turn an angle of 77 degrees 36 minutes 30 seconds to the right and run along the right-of-way line a distance of 64.49 feet to a concrete right-of-way monument found in place; thence turn an angle of 97 degrees 32 minutes 26 seconds to the right and run a distance of 119.56 feet to a concrete right-of-way monument found in place; thence turn an angle of 74 degrees 29 minutes 02 seconds to the right and run along the right-of-way line a distance of 77.98 feet to the point of beginning. Said parcel is lying in the NW 1/4 of SW 1/4, Section 27, Township 19 South, Range 1 West.

The property herein conveyed does not constitute any part of the homestead of the grantor, Kerry R. Nivens, and his spouse.

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, 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 defend our heirs, executors and administrators shall warrant and defend the same to the said GRANTEE, their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, we have hereunto set our hands and seal(s), this 11th day of November, 1993.

Kerry R. Nivens (Seal)
 Kerry R. Nivens, Individually

Mary N. Woolley (Seal)
 Mary N. Woolley, Individually

Mary N. Woolley (Seal)
 Mary N. Woolley as Co-Executor of the Estate of Bertha N. Nivens, Deceased

Kerry R. Nivens (Seal)
 Kerry R. Nivens as Co-Executor of the Estate of Bertha N. Nivens, Deceased

Mary N. Woolley (Seal)
 Mary N. Woolley as Co-Executor of the Estate of Bertha N. Nivens, Deceased

STATE OF ALABAMA

SHELBY

COUNTY

General Acknowledgment

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Kerry R. Nivens, a married man and Mary N. Woolley, a single woman whose name is AND signed to the foregoing conveyance, and who AND known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 11th day of November, A. D. 1993.

ADDITIONAL ACKNOWLEDGMENT ON REVERSE SIDE.

Carroll M. Jones Jr.
 Notary Public

20061108000549430 10/15 \$54.00
 Shelby Cnty Judge of Probate, AL
 11/08/2006 01:28:03PM FILED/CERT

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Kerry R. Nivens and Mary N. Woolley whose names as Co-Executors of the Estate of Bertha N. Nivens, deceased are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance they as such Co-Executors, and with full authority, executed the same voluntarily for and as an act of the said estate, acting in their capacity as Co-Executors as aforesaid, on the day the same bears date.

Given under my hand and official seal this 11th day of November, 1993.

Cynthia M. Jones, Jr.
Notary Public

Inst # 1993-35962

11/12/1993-35962

01:34 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 KJE 11.50



20061108000549430 11/15 \$54.00
Shelby Cnty Judge of Probate, AL
11/08/2006 01:28:03PM FILED/CERT

RETURN TO:

TO

WARRANTY DEED

STATE OF ALABAMA
County.

Judge of Probate

LAWYERS TITLE INSURANCE
CORPORATION
Title Insurance
BIRMINGHAM, ALA.

DEED TAX \$
RECORD FEE \$
TOTAL \$

SEND TAX NOTICE TO:

(Name) Kerry R. Nivens
119 Pine Tree Circle
 (Address) Columbiana, Alabama 35051

This instrument was prepared by

(Name) WALLACE ELLIS, TOWLER & HEAD, ATTORNEYS AT LAW(Address) COLUMBIANA, ALABAMA 35051

Form 1-1-87 Rev. 1-88

WARRANTY DEED—Lawyers Title Insurance Corporation, Birmingham, Alabama

STATE OF ALABAMA

SHELBY

COUNTY

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of ONE AND NO/100 (\$1.00) AND OTHER GOOD AND VALUABLE CONSIDERATIONS

to the undersigned grantor (whether one or more), in hand paid by the grantees herein, the receipt whereof is acknowledged, I
 or we, Kerry R. Nivens and Mary N. Woolley as Co-Executors of the Estate of Bertha N. Nivens,
deceased; Kerry R. Nivens, a married man, individually; and Mary N. Woolley, a single
woman, individually
 (herein referred to as grantor, whether one or more), grant, bargain, sell and convey unto
Kerry R. Nivens

herein referred to as grantees, whether one or more), the following described real estate, situated in
Shelby County, Alabama, to-wit:

TRACT NO. 1A AND TRACT NO. 1B BEING DESCRIBED ON EXHIBIT "A" ATTACHED HERETO AND
 MADE PART AND PARCEL HEREOF AND INCORPORATED BY REFERENCE AS FULLY AS IF SET OUT
 HEREIN, WHICH SAID EXHIBIT IS SIGNED FOR THE PURPOSE OF IDENTIFICATION.

The property herein conveyed does not constitute any part of the homestead of
 the grantor, Kerry R. Nivens, and his spouse.

Inst # 1993-31556

10/12/1993-31556
 11:24 AM CERTIFIED
 SHELBY COUNTY JUDGE OF PROBATE
 000 HJB 14.50

20061108000549430 12/15 \$54.00
 Shelby Cnty Judge of Probate, AL
 11/08/2006 01:28:03PM FILED/CERT

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,
 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 said GRANTEE, their heirs and assigns forever.
 against the lawful claims of all persons.

IN WITNESS WHEREOF, we have hereunto set our hands(s) and seal(s), this 12th
 day of October, 1993.

Kerry R. Nivens (Seal)
 Kerry R. Nivens, Individually

Mary N. Woolley (Seal)
 Mary N. Woolley, Individually

Mary N. Woolley (Seal)
 Mary N. Woolley as Co-Executor of the Estate

Kerry R. Nivens (Seal)
 Kerry R. Nivens as Co-Executor of the Estate
 of Bertha N. Nivens, Deceased

Mary N. Woolley (Seal)
 Mary N. Woolley as Co-Executor of the Estate
 of Bertha N. Nivens, Deceased

STATE OF ALABAMA

SHELBY

COUNTY

General Acknowledgment

I, the undersigned authority, a Notary Public in and for said County, in said State,
 hereby certify that Kerry R. Nivens, a married man and Mary N. Woolley, a single woman
 whose names ARE signed to the foregoing conveyance, and who ARE known to me, acknowledged before me
 on this day, that, being informed of the contents of the conveyance they executed the same voluntarily
 on the day the same bears date.

Given under my hand and official seal this 12th day of October, A. D. 1993.

SEE ADDITIONAL ACKNOWLEDGMENT ON REVERSE SIDE.

Christine M. Felt
 Notary Public.

Inst # 1993-31556

SHELBY COUNTY

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Kerry R. Nivens and Mary N. Woolley whose names as Co-Executors of the Estate of Bertha N. Nivens, deceased are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance they as such Co-Executors, and with full authority, executed the same voluntarily for and as an act of the said estate, acting in their capacity as Co-Executors as aforesaid, on the day the same bears date.

Given under my hand and official seal this 12th day of October, 1993.

[Signature]
Notary Public



20061108000549430 13/15 \$54.00
Shelby Cnty Judge of Probate, AL
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RETURN TO:

TO

WARRANTY DEED

STATE OF ALABAMA,
County.

Judge of Probate

LAWYERS TITLE INSURANCE
CORPORATION
Title Insurance
BIRMINGHAM, ALA.

DEED TAX \$
RECORD FEE \$
TOTAL \$

LEGAL DESCRIPTION

Beginning at the Northeast corner of the NW¼ of SW¼, Section 27, Township 18 South, Range 1 West; thence run Southerly along the East boundary line of said NW¼ of SW¼, a distance of 408.88 feet to a point on the North Right-of-way line of Highway US 250; thence turn an angle of 70°28'22" to the right and run along said right-of-way line a distance of 101.36 feet to a concrete monument found in place; thence turn an angle of 13°28'47" to the right and continue along said right-of-way line a distance of 186.48 feet to a point; thence turn an angle of 20°18'18" to the left and continue along said right-of-way line a distance of 102.40 feet to a concrete monument found in place; thence turn an angle of 2°28'18" to the right and continue along said right-of-way line a distance of 221.26 feet to a concrete monument found in place; thence turn an angle of 87°55'25" to the right and continue along said right-of-way line and along a curve to the right (concave Northwesterly) and having a radius of 3554.70 feet and a central angle of 15°27'08" an arc distance of 778.31 feet to a point; thence turn an angle of 5°48'07" to the right from the tangent of said curve and continue along said right-of-way line a distance of 732.76 feet to a point; thence turn an angle of 38°10'38" to the right and continue along said right-of-way line a distance of 41.55 feet to an iron rod found in place on the North boundary line of the NW¼ of SW¼, Section 28, Township 18 South, Range 1 West; thence turn an angle of 114°22'44" to the right and leaving said right-of-way line, run Easterly along said North boundary line of the NW¼ of SW¼, a distance of 668.34 feet to the Northwest corner of the NW¼ of SW¼, Section 27, Township 18 South, Range 1 West; thence turn an angle of 27°07'44" to the left and run along the North boundary line of said NW¼ of SW¼ a distance of 1325.01 feet to the point of beginning. Said tract of land is lying in the NW¼ of SW¼, Section 27, Township 18 South, Range 1 West and the NE¼ of SW¼, Section 28, Township 18 South, Range 1 West and contains 18.08 acres.

TRACT NO. 18

Commence at the Northeast corner of the NW¼ of SW¼, Section 27, Township 18 South, Range 1 West; thence run Southerly along the East boundary line of said NW¼ of SW¼ a distance of 803.35 feet to the point of beginning where said East boundary line of the NW¼ of SW¼ intersects the Southeast right-of-way line of Backboard Coastline Railroad; thence continue Southerly along said 1/4 1/4 line a distance of 802.28 feet to the Southeast corner of said NW¼ of SW¼ which is also a point on the North Fork of Yellowleaf Creek; thence turn an angle of 157°00'23" to the right and run along said creek turning the following deflection angles and making the following distances via a distance of 208.33 feet thence 4°08'28" left a distance of 220.88 feet thence 0°30'44" right a distance of 82.21 feet thence 7°18'28" left a distance of 137.84 feet thence 87°14'48" right a distance of 77.06 feet thence 2°28'58" right a distance of 122.44 feet thence 27°08'07" right a distance of 104.77 feet thence 0°28'18" right a distance of 180.73 feet thence 48°31'17" left a distance of 70.71 feet thence 40°15'40" left a distance of 306.21 feet thence 11°18'37" left a distance of 303.80 feet thence 31°24'21" left a distance of 184.65 feet thence 5°48'20" right a distance of 143.16 feet thence 40°30'07" right a distance of 101.70 feet thence 12°07'30" right a distance of 302.35 feet thence 84°18'08" left a distance of 112.08 feet to a point; thence turn an angle of 125°25'30" to the right and leaving said creek, run Northerly a distance of 408.87 feet to a point; thence turn an angle of 80° to the right and run Easterly a distance of 246.08 feet to a point; thence turn an angle of 84°41'30" to the left and run in a Northerly direction a distance of 408.88 to a point on the South right-of-way line of Shelby County Highway No. 250; thence turn an angle of 87°18'08" to the right and run in an Easterly direction along said right-of-way line and along a curve to the left (concave Northerly) and having a radius of 518.34 feet and a central angle of 15°18'22" an arc distance of 138.18 feet to a point; thence turn an angle of 80°11'18" to the right from the tangent of said curve and leaving said right-of-way line, run in a Southerly direction a distance of 284.58 feet to a point; thence turn an angle of 107°27'37" to the left and run Northwesterly a distance of 253.62 feet to a point; thence turn an angle of 108°48'38" to the left and run Northwesterly a distance of 251.00 feet to a point on the above mentioned right-of-way line of Shelby County Highway No. 250; thence turn an angle of 115°28'35" to the right and run Northwesterly along said right-of-way line and along a curve to the left (concave Northerly) and having a radius of 518.34 feet and a central angle of 12°04'17" an arc distance of 108.18 feet to a point; thence continue along said right-of-way line and along the tangents of said curve a distance of 52.38 feet to a point on the Southwest right-of-way line of Backboard Coastline Railroad; thence turn an angle of 88°27'50" to the right and run Southeasterly along the said right-of-way line of Backboard Coastline Railroad a distance of 1887.58 feet to the point of beginning. Said tract of land is lying in the NW¼ of SW¼, Section 27, Township 18 South, Range 1 West and the NE¼ of SW¼, Section 28, Township 18 South, Range 1 West and contains 18.43 acres.

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20061108000549430 14/15 \$54.00
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SIGNED FOR IDENTIFICATION:

Kerry R. Nivens
Kerry R. Nivens, Individually

Mary N. Wooley
Mary N. Wooley, Individually

Kerry R. Nivens
Kerry R. Nivens as Co-Executor of the Estate
of Martha N. Nivens, Deceased

Mary N. Wooley
Mary N. Wooley as Co-Executor of the Estate
of Martha N. Nivens, Deceased

10/12/1993-31556
11:24 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
DPT NJB 11.50



Tax Map
09-8-27

