20070228000090790 1/2 \$15.00 Shelby Cnty Judge of Probate, AL 02/28/2007 12:37:38PM FILED/CERT

This Instrument Was Prepared By: G. Wray Morse, Attorney at Law 1920 Valleydale Road Birmingham, Alabama 35244 Send Tax Notice to: Kevin Thornthwaite 115 Cherokee Street Montevallo, Alabama 35115

STATE OF ALABAMA COUNTY OF SHELBY

WARRANTY DEED, JOINTLY FOR LIFE WITH REMAINDER TO SURVIVOR

KNOW ALL MEN BY THESE PRESENTS, That in consideration of other good and valuable considerations and the sum of **One Hundred Twenty Five Thousand Nine Hundred and 00/100 Dollars** (\$125,900.00) to the undersigned GRANTORS in hand paid by the GRANTEES herein, the receipt of which is hereby acknowledged, **Milton J. Foley and Charlotte Foley, Husband and Wife** (hereinafter referred to as GRANTORS), do hereby grant, bargain, sell and convey unto **Kevin Thornthwaite and Daphne D. Thornthwaite** (hereinafter 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, together with every contingent remainder and right of reversion, the following described real estate situated in the County of **Shelby** and State of Alabama, to-wit:

SEE ATTACHED EXHIBIT "A"

Note: \$125,900.00 of the above purchase price is in the form of a mortgage in favor of Homecomings Financial, LLC (f/k/a Homecomings Financial Network, Inc.), executed and recorded simultaneously herewith.

This conveyance is hereby made subject to restrictions, covenants, easements and rights of way of record in the Probate Office of Shelby County, Alabama.

Together with all and singular the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining in fee simple.

TO HAVE AND TO HOLD the same unto 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 of such survivor forever, together with every contingent remainder and right of reversion.

And said GRANTORS do for themselves, their successors and assigns covenant with the said GRANTEES, their heirs and assigns, that GRANTORS are lawfully seized in fee simple of said premises, that they are free from all encumbrances, unless otherwise noted above, that they are entitled to the immediate possession thereof; that GRANTORS have a good right to sell and convey the same as aforesaid; that GRANTORS will and their heirs and assigns shall, warrant and defend the same to the said GRANTEES, their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, we have hereunto set our hands and seals on this the **23rd** day of **February**, **2007**.

Milton J. Foley

Charlotte Foley

STATE OF ALABAMA COUNTY OF SHELBY

I, the undersigned, a notary public in and for said county in said state, hereby certify that **Milton J.**Foley and Charlotte Foley, Husband and Wife, 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 the 23rd day of February, 2007.

G. Wray Morse, Notary Public

J. The Mr.

My Commission Expires: 9/10/2008

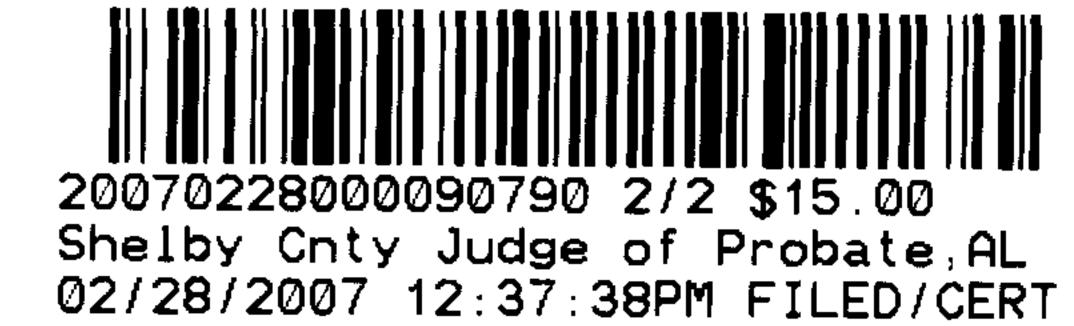


EXHIBIT "A"

Commence at the SE corner of Section 16, Township 22 South, Range 3 West, and run thence Westerly along the south boundary of said section 16, a distance of 2080.49 feet; thence at an angle of 88 degrees 58 minutes to the right run a distance of 124.84 feet; thence at an angle of 48 degrees 20 minutes to the right a distance of 105.0 feet to the SE corner of Horn lot; thence at an angle of 48 degrees 20 minutes, to the left run a distance of 380.0 feet to a point on the SE boundary of Highway 119; thence at an angle of 48 degrees 20 minutes to the right and along the southeast boundary of said highway a distance of 248.0 feet to a concrete marker on the boundary of said highway at the beginning of a deflection of 2 degrees 00 minutes to the left in the boundary of said highway; being the point of beginning of the property herein described; thence at an angle of 88 degrees to the right from previous course a distance of 200.00 feet; thence at an angle of 90 degrees to the left a distance of 330.0 feet; thence at an angle of 90 degrees to the left a distance of 330.0 feet; thence at an angle of 90 degrees to the left a boundary of said highway 119; thence run southwesterly along the southeast boundary of said highway to the point of beginning. Said land being situated in the S 1/2 of SE 1/4 of section 16, Township 22 south, Range 3 West, Shelby County, Alabama.

Part of the South 1/2 of the SE 1/4 of Section 16, Township 22 South, Range 3 West, Shelby County, Alabama, being more particularly described as follows:

From the most northerly corner of Lot 16, First Addition to Indian Highlands, a map of which is recorded in the Office of the Judge of Probate, Shelby County, Alabama, in Map Book 5, page 6, run in a northeasterly direction along a straight line extension of the northwest line of said Lot 16 for a distance of 53.72 feet to the point of beginning; thence continue in a northeasterly direction along last mentioned course for a distance of 136.28 feet; thence turn an angle to the left of 90 degrees and run in a northwesterly direction for a distance of 200.00 feet; thence turn an angle to the right of 89 degrees 05 minutes and run in a northeasterly direction for a distance of 75.01 feet; thence turn an angle to the right of 90 degrees 55 minutes and run in a southeasterly direction for a distance of 201.2 feet; thence turn an angle to the right of 15 degrees 38 minutes 50 seconds and run in a south-easterly direction for a distance of 169.47 feet; thence turn an angle to the right of 75 degrees 25 minutes 17 seconds and run in a southwesterly direction for a distance of 232.35 feet; thence turn an angle to the right of 120 degrees 30 minutes 53 seconds and run in a northerly direction for a distance of 59.82 feet; thence turn an angle to the right of 14 degrees 30 minutes and run in a northerly direction for a distance of 44.81 feet; thence turn an angle to the left of 43 degrees 45 minutes, and run in a northwesterly direction a distance of 76.88 feet, more or less, to the point of beginning.

A parcel of land situated in the SW 1/4 of the SE 1/4 of Section 16, Township 22 South, Range 3 West, described as follows: Begin at a point where the South boundary of Highway 119 intersects the North boundary of Cherokee Street and go Northeasterly 154.00 feet along the south boundary of Highway 119; thence at an angle of 90 degrees 00 minutes to the right go 200.00 feet; thence at an angle of 90 degrees 00 minutes to the right go 154.00 feet to the north boundary of Cherokee Street; thence along this boundary 200.00 feet to the point of beginning; situated in Montevallo, Shelby County, Alabama.

This conveyance is made subject to any and all restrictions, reservations, covenants, easements, and rights-of-way, if any, heretofore imposed of record affecting said property and municipal zoning ordinances now or hereafter becoming applicable, and taxes or assessments now or hereafter becoming due against said property.