

This instrument was prepared by:  
Shelby County Abstract & Title Co., Inc.  
101 West College  
Columbiana, AL 35051

Send Tax Notice To: Bobby E. Avery

16295 Co Rd 51  
Tombison Ala 35085

CORRECTIVE

WARRANTY DEED, JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

STATE OF ALABAMA

} KNOW ALL MEN BY THESE PRESENTS,

SHELBY COUNTY

20070524000242850 1/3 \$172.00  
Shelby Cnty Judge of Probate, AL  
05/24/2007 12:41:59PM FILED/CERT

That in consideration of One Hundred Fifty Five Thousand dollars and Zero cents (\$155,000.00) to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt whereof is acknowledged, we, Michael L. Moats and wife, Carol Moats (herein referred to as grantors) do grant, bargain, sell and convey unto Bobby E. Avery and JoAnn Avery (herein referred to as GRANTEES) as joint tenants with right of survivorship, the following described real estate situated in Shelby County, Alabama to-wit:

**SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF.**

Subject to taxes for 2007 and subsequent years.

Constitutes no part of the homestead of the grantor or grantors spouse.

20070820000392970 1/3 \$21.00  
Shelby Cnty Judge of Probate, AL  
08/20/2007 03:51:06PM FILED/CERT

TO HAVE AND TO HOLD, Unto the said GRANTEES as joint tenants, with 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.

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

(\$0.00) of the purchase price was paid from the proceeds of a mortgage loan closed simultaneously herewith.

THIS DEED IS BEING RE-RECORDED TO CORRECT THE GRANTORS MIDDLE INITIAL FROM BOBBY F. AVERY TO BOBBY E. AVERY.

IN WITNESS WHEREOF, we have hereunto set our hands and seals, this 22nd day of May, 2007.

_____ (Seal)	<u>Michael L. Moats</u> Michael L. Moats	_____ (Seal)
_____ (Seal)	<u>Carol Moats</u> Carol Moats	_____ (Seal)
_____ (Seal)	_____	_____ (Seal)
	_____	_____ (Seal)

STATE OF ALABAMA

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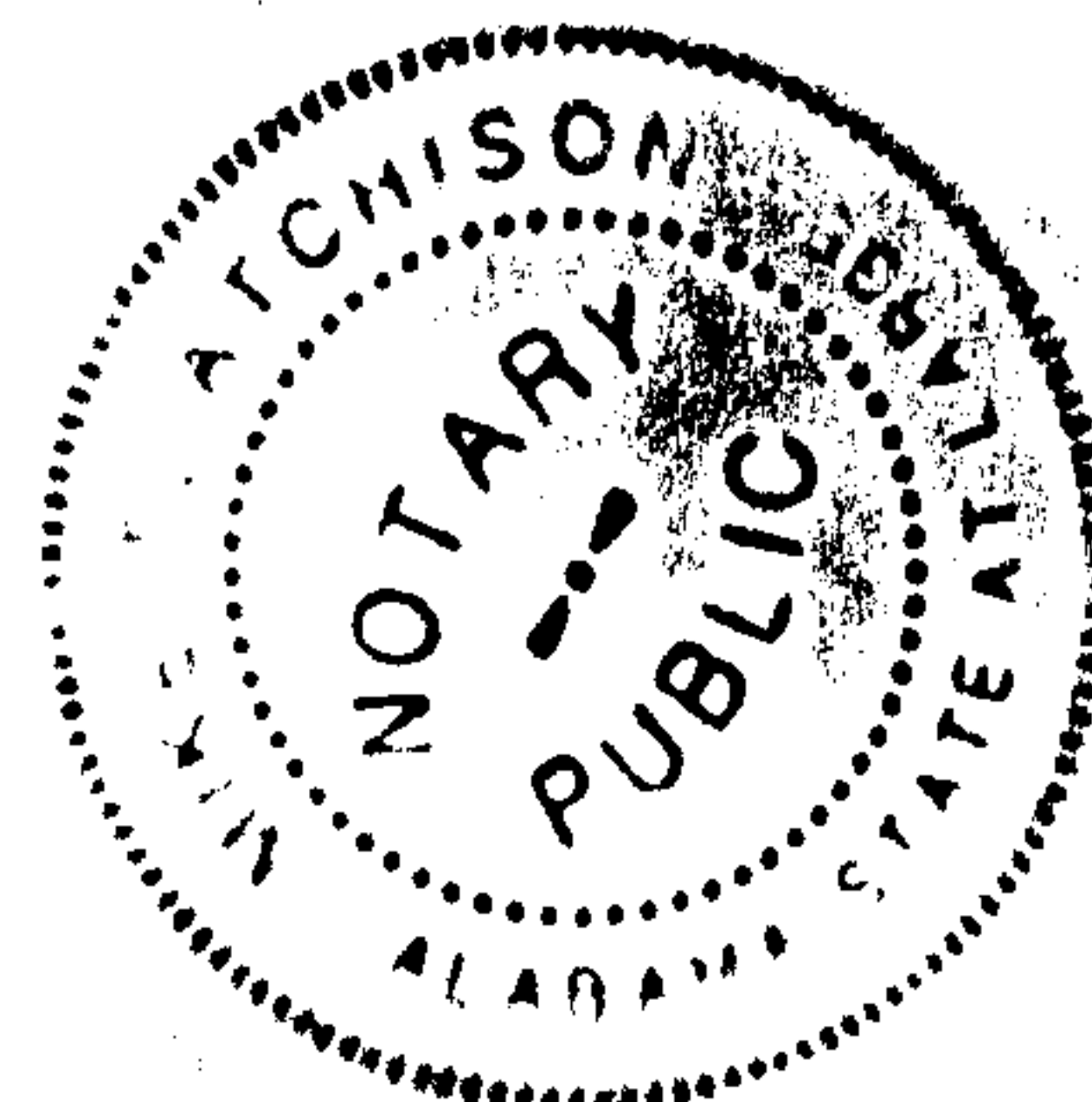
General Acknowledgment

COUNTY OF SHELBY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Michael L. Moats and wife, Carol Moats 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 22<sup>nd</sup> day of May, 2007.

[Signature]  
Notary Public  
My Commission Expires: 10/16/08




Shelby County, AL 05/24/2007  
State of Alabama

Deed Tax: \$155.00



## EXHIBIT A

  
20070524000242850 2/3 \$172.00  
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### LEGAL DESCRIPTION LOT 8


A parcel of land in the southwest quarter of the northwest quarter of Section 18, Township 24 North, Range 16 East, being a part of the same land described in a description to John and Ailene Rice, recorded in Deed Book 272, at Page 491 of the real property records of Shelby County, Alabama, being more particularly described as follows:

Commencing at the northwest corner of the southwest quarter of the northwest quarter of Section 18, Township 24 North, Range 16 East;

Thence N 89°51'51" E, a distance of 311.98 feet, to the center of Paradise Circle;

Thence along the centerline of Paradise Circle the following bearings and distances;

S 5°22'51" W, a distance of 193.75 feet,  
S 9°21'09" E, a distance of 156.17 feet,  
S 28°16'09" E, a distance of 194.68 feet;

  
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Thence along the centerline of a private easement as described, on the Map of Rice Acres, Sector II, as described in Map Book 5, at Page 68, the following bearings and distances;

S 15°07'09" E, a distance of 160.16 feet,  
S 34°16'09" E, a distance of 59.06 feet,  
S 8°48'09" E, a distance of 158.75 feet;

Thence along an existing paved road, the following courses,

S 1°57'45" E, a distance of 40.40 feet,  
S 8°57'22" E, a distance of 77.22 feet,  
S 2°10'46" E, a distance of 42.94 feet;  
S 4°26'39" E, a distance of 60.13 feet,  
S 4°29'58" E, a distance of 65.22 feet,  
S 6°12'50" E, a distance of 155.64 feet,

Thence along a curve to the right, having a radius of 44.87 feet, an arc length of 70.48 feet to the **Point of Beginning**;

Thence, continuing along said road, along a curve to the right, having a radius of 133.42 feet, an arc length of 76.42 feet;

Thence S 24°15'06" W, a distance of 136.56 feet to elevation 397.00', on the shore of Lay Lake;

Thence along said elevation and shore the following bearings and distances;

S 46°23'59" E, a distance of 17.83 feet,  
S 58°31'43" E, a distance of 50.44 feet,  
S 44°00'35" E, a distance of 37.33 feet,  
S 39°02'04" E, a distance of 7.68 feet;

Thence N 13°25'19" E, a distance of 187.74 feet to the Point of Beginning. The Herein described Parcel of land.

### EASEMENT DESCRIPTION

Commencing at the northwest corner of the southwest quarter of the northwest quarter of Section 18, Township 24 North, Range 16 East;

Thence S 89°51'51" W, a distance of 311.98 feet, to the center of Paradise Circle;

Thence along the centerline of Paradise Circle the following bearings and distances;

S 5°22'51" W, a distance of 193.75 feet,  
S 9°21'09" E, a distance of 156.17 feet,  
S 28°16'09" E, a distance of 194.68 feet, to the **Point of Beginning**;


Thence along the centerline of a 30' private easement as described, on the Map of Rice Acres, Sector II, as described in Map Book 5, at Page 68, the following bearings and distances;


S 15°07'09" E, a distance of 160.16 feet,  
S 34°16'09" E, a distance of 59.06 feet,  
S 8°48'09" E, a distance of 158.75 feet;

Thence beginning a 20' wide easement, along an existing paved road, the centerline described by the following courses,

S 1°57'45" E, a distance of 40.40 feet,  
S 8°57'22" E, a distance of 77.22 feet,  
S 2°10'46" E, a distance of 42.94 feet;  
S 4°26'39" E, a distance of 60.13 feet,  
S 4°29'58" E, a distance of 65.22 feet,  
S 6°12'50" E, a distance of 155.64 feet,

Thence along a curve to the right, having a radius of 44.87 feet, an arc length of 70.48 to the Point of Beginning.

  
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