

THIS INSTRUMENT WAS PREPARED BY:
DOUGLAS L. KEY, ATTORNEY AT LAW
POST OFFICE BOX 360345
BIRMINGHAM, ALABAMA 35236

PLEASE SEND TAX NOTICE TO:
JAMES MICHAEL HARRELL and wife, DAPHNE G. HARRELL
227 2158 TIMBERLINE DRIVE
CALERA, ALABAMA 35040

WARRANTY DEED JOINTLY FOR LIFE WITH REMAINDER TO SURVIVOR

STATE OF ALABAMA

COUNTY OF SHELBY

(\$5000.00)

KNOW ALL MEN BY THESE PRESENTS, that in consideration of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration, to the undersigned Grantor in hand paid by the Grantees herein, the receipt whereof is acknowledged, we, **HEATH** HARRELL and wife, HILLARY YOPP HARRELL, (herein referred to as Grantor whether one or more), do grant, bargain, sell and convey unto JAMES MICHAEL HARRELL and wife, DAPHNE G. HARRELL, (herein referred to as Grantees) as joint tenants for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, the following described real estate situated in SHELBY COUNTY, ALABAMA, to-wit:

Lot 122, according to the Survey of The Reserve at Timberline, as recorded in Map Book 34, Page 117 A, B, C and D, in the Probate Office of Shelby County, Alabama.

SUBJECT TO:

1. Taxes for the year 2008, which are a lien but not yet due and payable until October 1, 2008.
2. Title to all oil, gas and minerals within and underlying the premises, together with all oil and mining rights and other rights, privileges and immunities relating thereto, together with any release of liability for injury or damage to persons or property as a result of the exercise of such rights.
3. Right of Way to South Central Bell Telephone Company as recorded in Real 168, Page 563; Real 257, Page 174 and Vol. 311, Page 435.
4. Right of Way to Alabama Power Company as recorded in Vol. 323, Page 131; Vol. 219, Page 75 and Instrument 2002-6355.
5. Subject to Covenants, conditions and restrictions (deleting therefrom, any restrictions indicating any preference, limitation or discrimination based on race, color, religion, sex, handicap, family status or national origin) as set forth in the document recorded in Instrument No. 2005-14193 in the Probate Office of Shelby County, Alabama.

HILLARY YOPP and HILLARY YOPP HARRELL is one and the same person.

TO HAVE AND TO HOLD to the said Grantees as joint tenants 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 or reversion.

And we do for ourselves, and for our heirs, executors, and administrators covenant with the said Grantees, their heirs and assigns, that we are lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that we have a good right to sell and convey the same as aforesaid; that we will and 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.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this 28th day of MAY, 2008.

Heath Harrell
HEATH HARRELL

Hillary Harrell
HILLARY YOPP HARRELL

STATE OF ALABAMA

COUNTY OF Jefferson

I, the undersigned, a notary public in and for said county, in said state, hereby certify that HEATH HARRELL and wife, HILLARY YOPP HARRELL, 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 28th day of May, 2008.

Shelby County, AL 06/03/2008
State of Alabama

Deed Tax: \$5.00

Valerie Carter Hill AKA Valerie Carter Hill
NOTARY PUBLIC
My Commission Expires: 04/17/2010