

This instrument was prepared by:  
Michael T. Atchison, Attorney at Law, Inc.  
101 West College  
Columbiana, AL 35051

Send Tax Notice To: Michael Ray Dennis

6396 Hwy 10  
Montevallo Ala 35115

WARRANTY DEED, JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

STATE OF ALABAMA

} KNOW ALL MEN BY THESE PRESENTS,

SHELBY COUNTY

That in consideration of Fifty Thousand dollars and Zero cents (\$50,000.00) to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt whereof is acknowledged, we, Zenoba Harmon, a single woman, Grover Cleveland Peters, Jr. a married man, Kenneth Peters, a single man by Jeffrey G. McDaniel, Conservator and Guardian as recorded in Probate Case#2007-000132 in the Probate Office of Shelby County, Alabama, Thomas M. Peters, a single man, Carolyn Gray a single woman and Ruelane Bice a married woman, (herein referred to as grantors) do grant, bargain, sell and convey unto Michael Ray Dennis Robyn Annette Dennis (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:

1. Taxes for 2008 and subsequent years.
2. Easement to Thomas M. Peters

Grantors herein are all the heirs at law of Grover Cleveland Peters.

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.

(\$ 40,000.00 ) of the purchase price was paid from the proceeds of a mortgage loan closed simultaneously herewith.

IN WITNESS WHEREOF, I have hereunto set my hand and seal, this 13th day of August 2008.

Zenoba Harmon (Seal)  
Zenoba Harmon

Grover Cleveland Peters, Jr. (Seal)  
Grover Cleveland Peters, Jr.

Kenneth Peters by Jeffrey G. McDaniel (Seal)  
Kenneth Peters by Jeffrey G. McDaniel as  
Conservator and Guardian as recorded in Probate  
Case#2007-000132, Probate Office Shelby  
County, Alabama.

Thomas M. Peters (Seal)  
Thomas M. Peters

Carolyn Gray (Seal)  
Carolyn Gray

Ruelane Bice (Seal)  
Ruelane Bice

Shelby County, AL 08/19/2008  
State of Alabama

Deed Tax: \$10.00

20080819000333000 1/7 \$44.00  
Shelby Cnty Judge of Probate, AL  
08/19/2008 11:09:43AM FILED/CERT

20080819000333000 2/7 \$44.00  
Shelby Cnty Judge of Probate, AL  
08/19/2008 11:09:43AM FILED/CERT

STATE OF ALABAMA

}

General Acknowledgment

COUNTY OF SHELBY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Zenoba Harmon 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/she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 12th day of August 2008.

Lelei H. Mule  
Notary Public  
My Commission expires 11/4-30-2011

STATE OF ALABAMA

}

General Acknowledgment

COUNTY OF SHELBY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Grover Cleveland Peters, Jr. 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/she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 9th day of August 2008.

Lelei H. Mule  
Notary Public  
Commission expires 11/4-30-2011

STATE OF ALABAMA

}

General Acknowledgment

COUNTY OF SHELBY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Kenneth Peters by Jeffrey G. McDaniel as Conservator and Guardian 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/she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 13th day of August 2008.

Jeffrey G. McDaniel  
Notary Public  
My Commission expires 10/16/08



20080819000333000 3/7 \$44.00  
Shelby Cnty Judge of Probate, AL  
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STATE OF ALABAMA

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General Acknowledgment

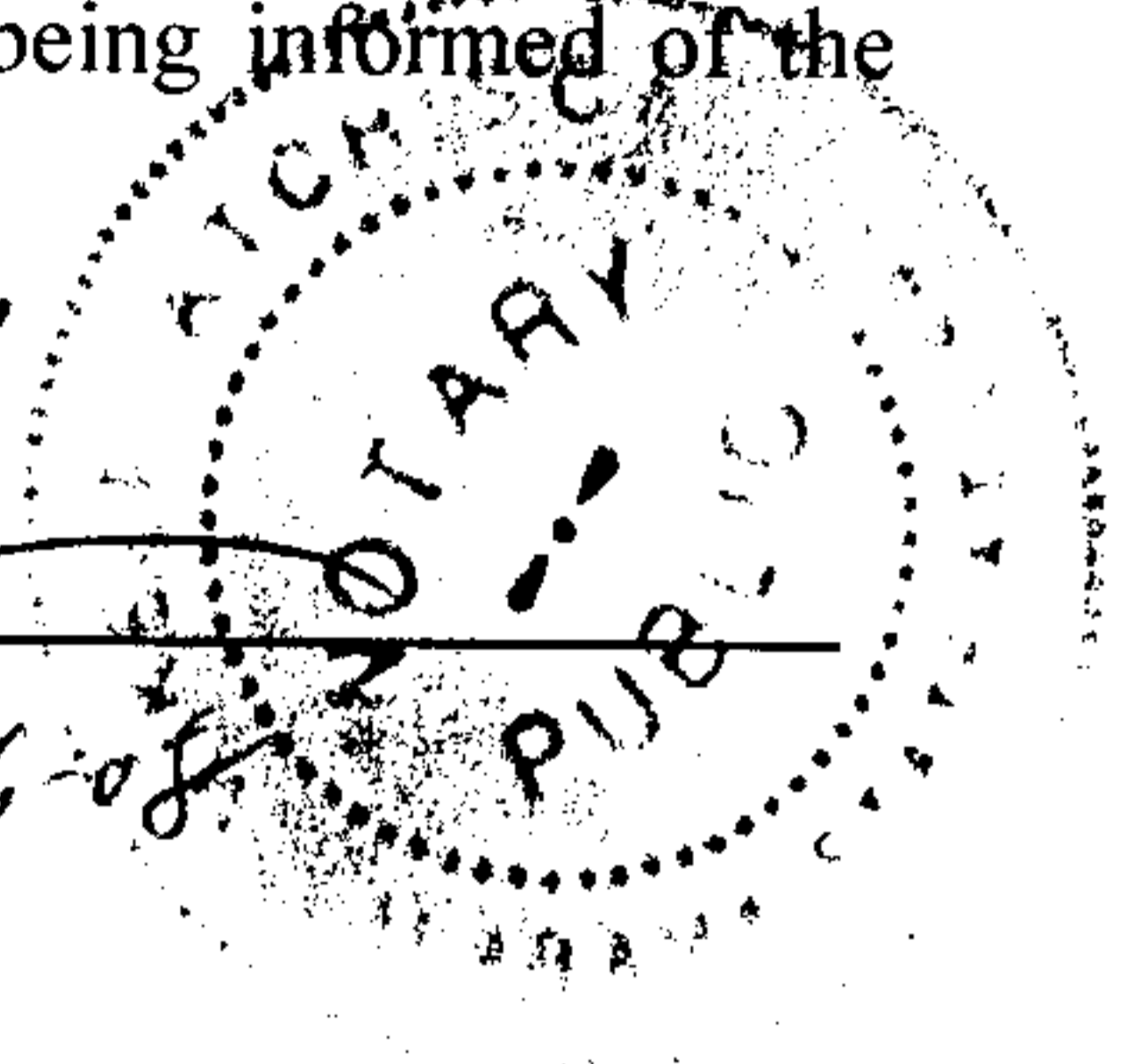
COUNTY OF SHELBY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Thomas M. Peters 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/she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 13<sup>th</sup> day of August 2008.

  
Notary Public

My Comm. Expires 10-16-08



STATE OF ALABAMA

}

General Acknowledgment

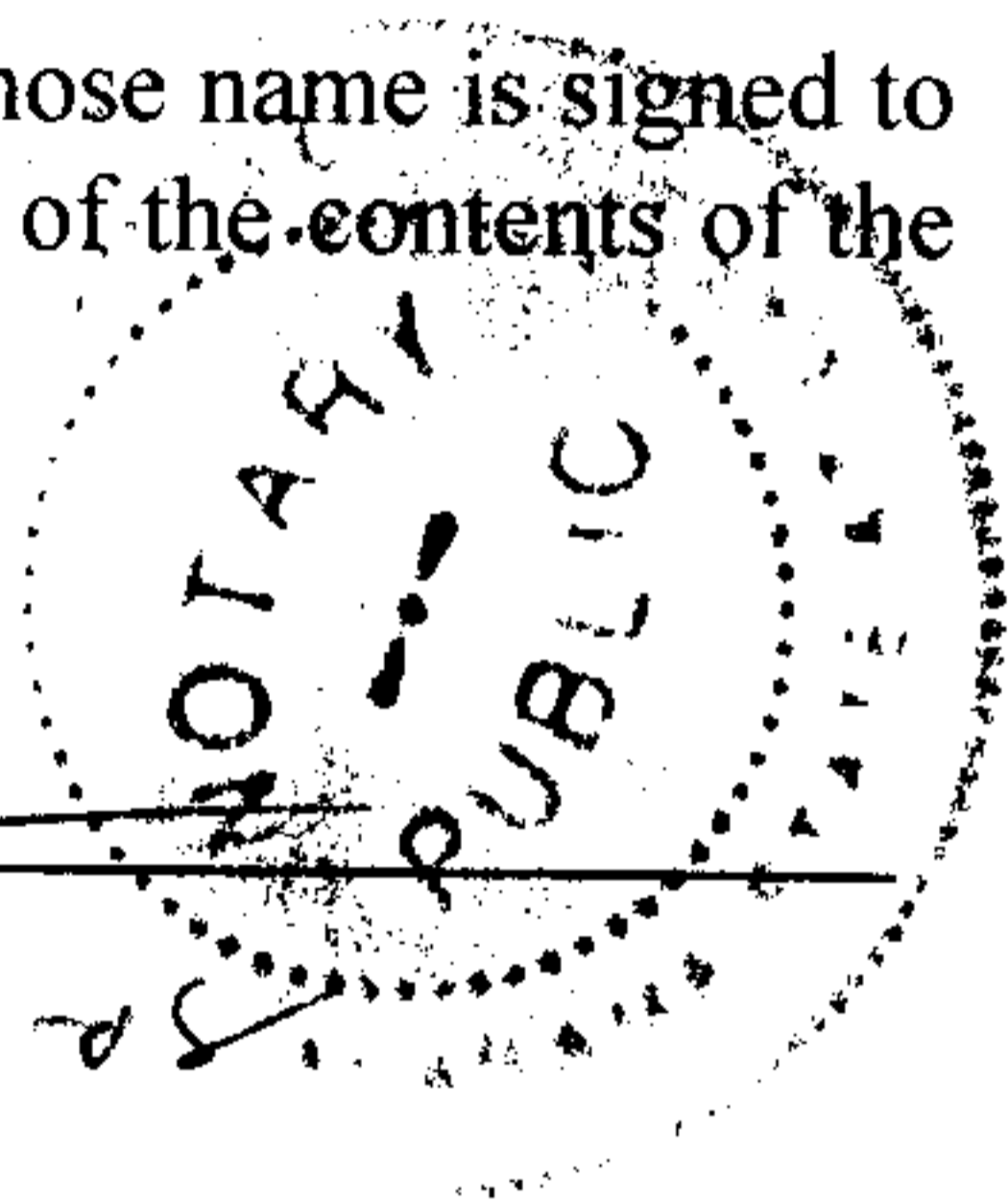
COUNTY OF SHELBY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Carolyn Gray 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/she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 13<sup>th</sup> day of August 2008.

  
Notary Public

My Comm. Expires 10-16-08



STATE OF ALABAMA

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General Acknowledgment

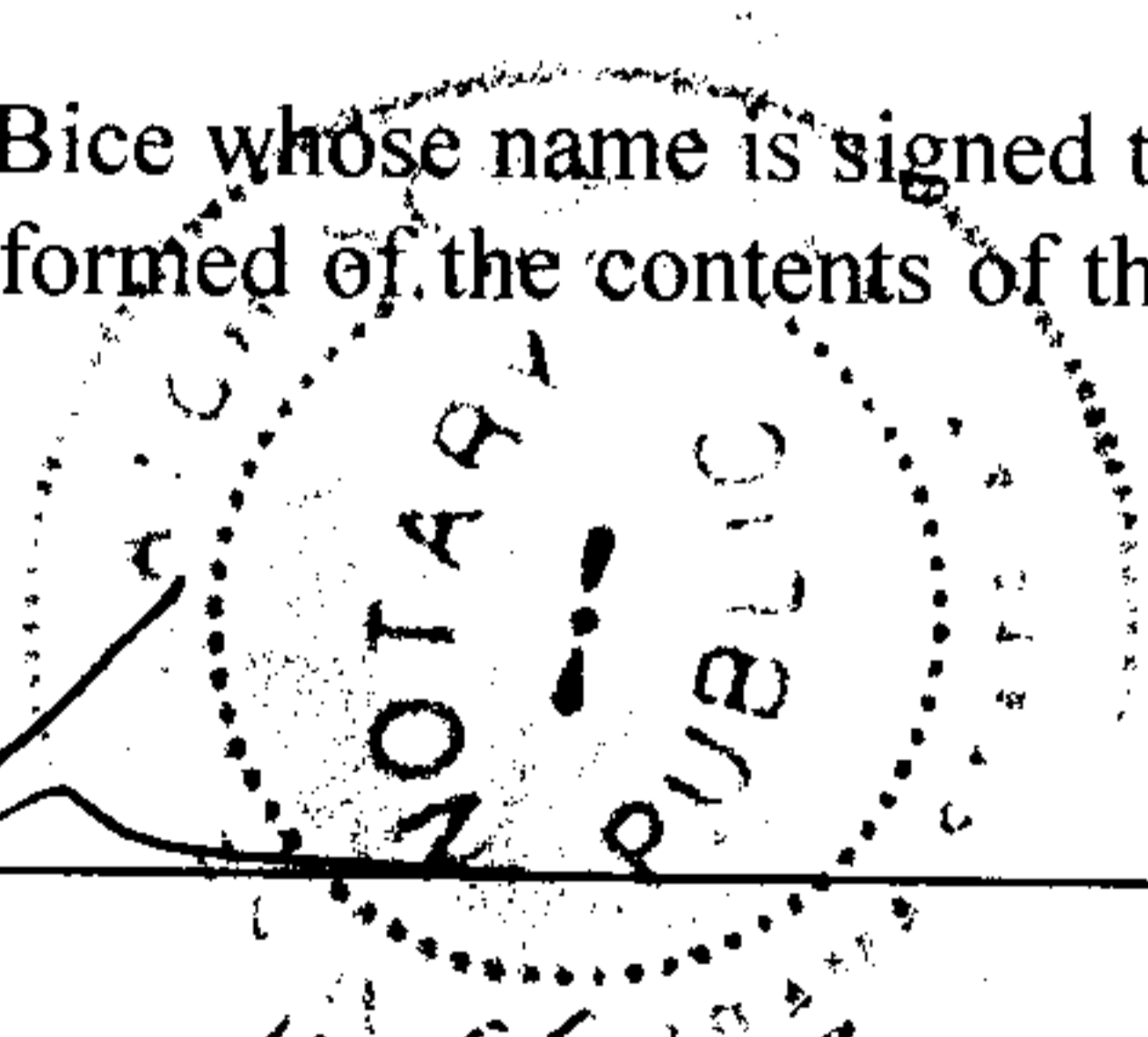
COUNTY OF SHELBY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Ruelane Bice 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/she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 13<sup>th</sup> day of August 2008.

  
Notary Public

My Commission Expires 10-16-08



## EXHIBIT A

A parcel of land situated in the NE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of Section 3, Township 22 South, Range 4 West, Shelby County, Alabama, and being more particularly described as follows:

Commence at the NE corner of above said  $\frac{1}{4}$ -  $\frac{1}{4}$ ; thence South 00 degrees 00 minutes 00 seconds East, a distance of 927.54 feet; thence North 77 degrees 35 minutes 43 seconds West a distance of 131.02 feet to the point of beginning; thence South 10 degrees 08 minutes 56 seconds West a distance of 220.17 feet to a point on the Northerly right of way line of Shelby County Highway 10 (80-foot right of way); thence North 72 degrees 40 minutes 19 seconds West and along said right of way line a distance of 303.80 feet; thence North 15 degrees 02 minutes 58 seconds East and leaving said right of way line, a distance of 376.25 feet; thence North 87 degrees 58 minutes 24 seconds East a distance of 158.01 feet; thence South 02 degrees 45 minutes 02 seconds East a distance of 202.47 feet; thence South 57 degrees 29 minutes 36 seconds East a distance of 75.28 feet to the point of beginning.

According to survey of Rodney Y. Shiflett, RLS #21784, dated February 20, 2008.



20080819000333000 4/7 \$44.00  
Shelby Cnty Judge of Probate, AL  
08/19/2008 11:09:43AM FILED/CERT

20080819000333000 5/7 \$44.00  
Shelby Cnty Judge of Probate, AL  
08/19/2008 11:09:43AM FILED/CERT

IN THE PROBATE COURT OF SHELBY COUNTY, ALABAMA

IN THE MATTER OF THE ESTATE  
OF KENNETH PETERS,  
a person in need of protection

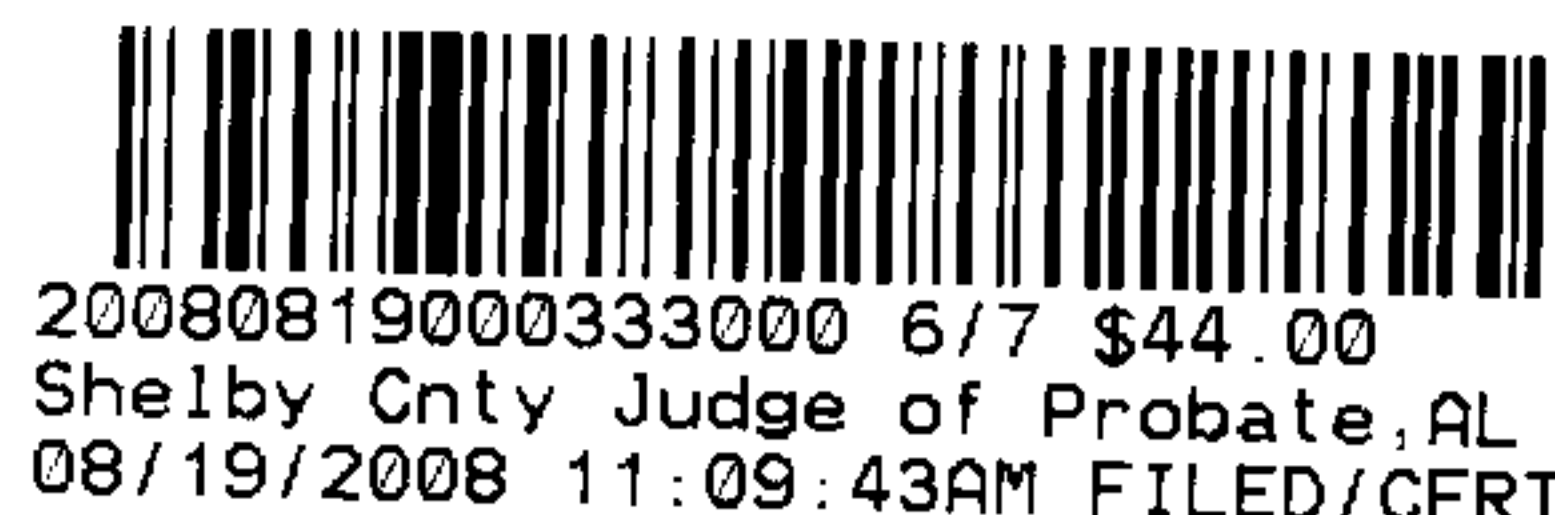
CASE NO. PR-2007-000132

ORDER APPROVING SALE OF REAL PROPERTY

This cause came before the Court on the 29<sup>th</sup> day of July, 2008, on the Petition for Sale of Real Property filed by Jeffrey G. McDaniel, the Guardian and Conservator of Kenneth Peters. Present in Court were Jeffrey G. McDaniel, her attorney of record, J. Frank Head, and also, Ruelane Bice, Carolyn Gray, Thomas M. Peters, and their attorney, Michael T. Atchison, and Vicki Smith, Guardian Ad Litem for Kenneth Peters. The Court notes that Kenneth Peters was not present at the hearing, said appearance having been waived by the Guardian Ad Litem, and the Court finds that said person's absence is in his best interest. Due and proper notice having been given to all those entitled thereto, the Court received testimony and evidence in regard to this matter. In accordance therewith, the Court finds that Kenneth Peters has a one-sixth (1/6) ownership interest in the following described real estate:

A parcel of land situated in the NE 1/4 of the NE 1/4 of Section 3, Township 22 South, Range 4 West, Shelby County, Alabama, and being more particularly described as follows: Commence at the NE corner of above said 1/4 - 1/4; thence South 00 degrees 00 seconds 00 seconds East, a distance of 927.54 feet; thence North 77 degrees 35 minutes 43 seconds West a distance of 131.02 feet to the point of beginning; thence South 10 degrees 08 minutes 56 seconds West a distance of 220.17 feet to a point on the Northerly right of way line of Shelby County Highway 10 (80-foot right of way); thence North 72 degrees 40 minutes 19 seconds West and along said right of way line a distance of 303.80 feet; thence North 15 degrees 02 minutes 58 seconds East and leaving said right of way line, a distance of 376.25 feet; thence North 87 degrees 58 minutes 24 seconds East a distance of 158.01 feet; thence South 02 degrees 45 minutes 02 seconds East a distance of 202.47 feet; thence South 57 degrees 29 minutes 36 seconds East a distance of 75.28 feet to the point of beginning. According to survey of Rodney Y. Shiflett, RLS #21784, dated February 20, 2008.

The Court finds that the above described property, along with some other adjacent land, was conveyed to Kenneth Peters, and his brothers and sisters, from their mother, Ruth Weaver Peters, by deed dated December 9, 1981, and recorded with the Shelby County



Judge of Probate on December 10, 1981. The said Kenneth Peters was also the grantee on a purported deed from his parents, Grover Cleveland Peters and Ruth Peters, dated February 14, 1953, and recorded with the Shelby County Judge of Probate on June 5, 1985, for a part of the subject property. The Court finds that said latter deed was not valid, and in addition, was recorded subsequent to the previous deed and is inoperative pursuant to 1975 Code of Alabama, Section 35-4-90.

The Court further finds that the proposed sale of the subject property is for an amount at or about its fair market value, or not disproportionate to its fair market value, and to a party having no relation or common interest with the Petitioner. The Court further finds that a public sale of said property would not likely result in a larger sum or more favorable sales price. The Court further finds that said sale is in all respects fair and reasonable, and it is in the best interest of Kenneth Peters that the sale of said property be approved by the Court.

The Court further finds that Kenneth Peters is in need of immediate funds for payment of necessary expenses, and sale of the subject property would serve to meet said financial needs and expenses.

The Court further finds that the sales contract to the proposed purchasers, Michael Ray Dennis and Robin Annette Dennis, is fair and reasonable, and the Petitioner is authorized to execute such documents as may necessary and appropriate for the closing of this transaction.

It is therefore, ORDERED, ADJUDGED and DECREED, as follows:

1. That Kenneth Peters has a one-sixth (1/6) interest in the subject property, as described above, and the Petitioner, Jeffrey G. McDaniel, is authorized to sell his interest in said real property to Michael Ray Dennis and Robin Annette Dennis, in accordance with the sales contract for a total purchase price of \$50,000.00. The said Jeffrey G. McDaniel is authorized to execute such documents as may be necessary and appropriate to effectuate said transaction.

2. That the net proceeds of the sale of the interest of Kenneth Peters, after payment of expenses related to the sale, shall be paid to Jeffrey G. McDaniel as Conservator of the Estate of Kenneth Peters.

3. That the Petitioner shall submit a report of sale to the Court upon completion of the transaction.

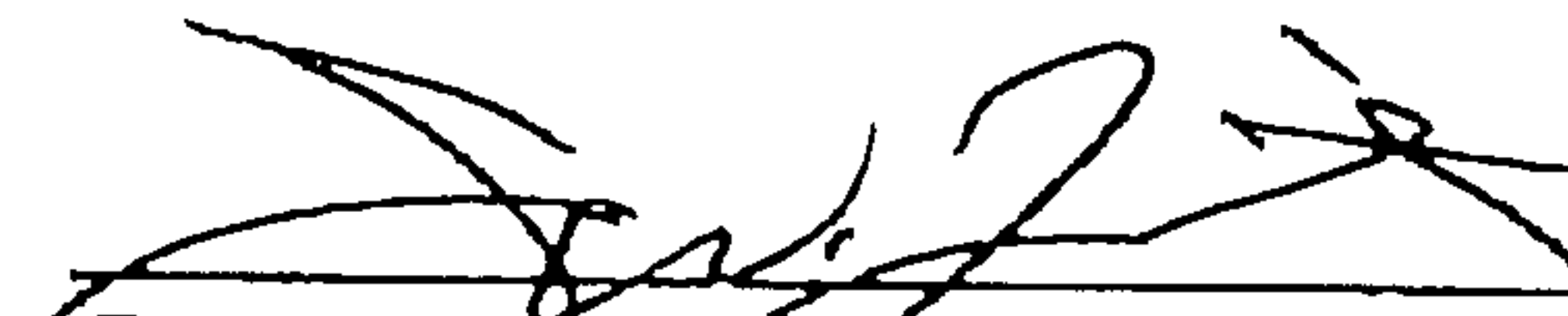
4. That Vicki Smith, Guardian Ad Litem, shall be compensat-



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Shelby Cnty Judge of Probate, AL  
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ed for services rendered in connection with this matter in the  
amount of \$ 514.50, which shall be taxed against the  
Estate of Kenneth Peters, along with remaining costs of Court for  
a total of \$ 588.50.

DONE AND ORDERED this 6th day of August, 2008.

  
James W. Fuhrmeister  
Judge of Probate

ENTERED AND FILED

AUG 06 2008

KIMBERLY MELTON CHIEF CLERK  
PROBATE COURT  
SHELBY COUNTY ALABAMA