

This instrument was prepared by:

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Columbiana, AL 35051

20081014000405760 1/3 \$22.00
Shelby Cnty Judge of Probate, AL
10/14/2008 02:29:09PM FILED/CERT

Send Tax Notice to:

Donald C. Horton

Shelby County, AL 10/14/2008
State of Alabama

Deed Tax: \$5.00

WARRANTY DEED, JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

STATE OF ALABAMA)
SHELBY COUNTY)

KNOW ALL MEN BY THESE PRESENTS, That in consideration of **FIVE THOUSAND DOLLARS and no/100 (\$5,000.00)**, and other good and valuable considerations to the undersigned grantor (whether one or more), in hand paid by grantee herein, the receipt whereof is acknowledged, I or we,

DONALD L. HORTON, A MARRIED MAN AND DONALD C. HORTON, A MARRIED MAN

(herein referred to as grantor) grant, bargain, sell and convey unto,

DONALD C. HORTON AND TERRA M. HORTON, A MARRIED COUPLE

(herein referred to as grantees), the following described real estate, situated in: SHELBY County, Alabama, to-wit:

SEE ATTACHED EXHIBIT "A" LEGAL DESCRIPTION

Subject to restrictions, easements and rights of way of record.

Subject to taxes for 2008 and subsequent years.

\$0.00 of the above recited consideration was paid for from a first mortgage recorded simultaneously herewith.

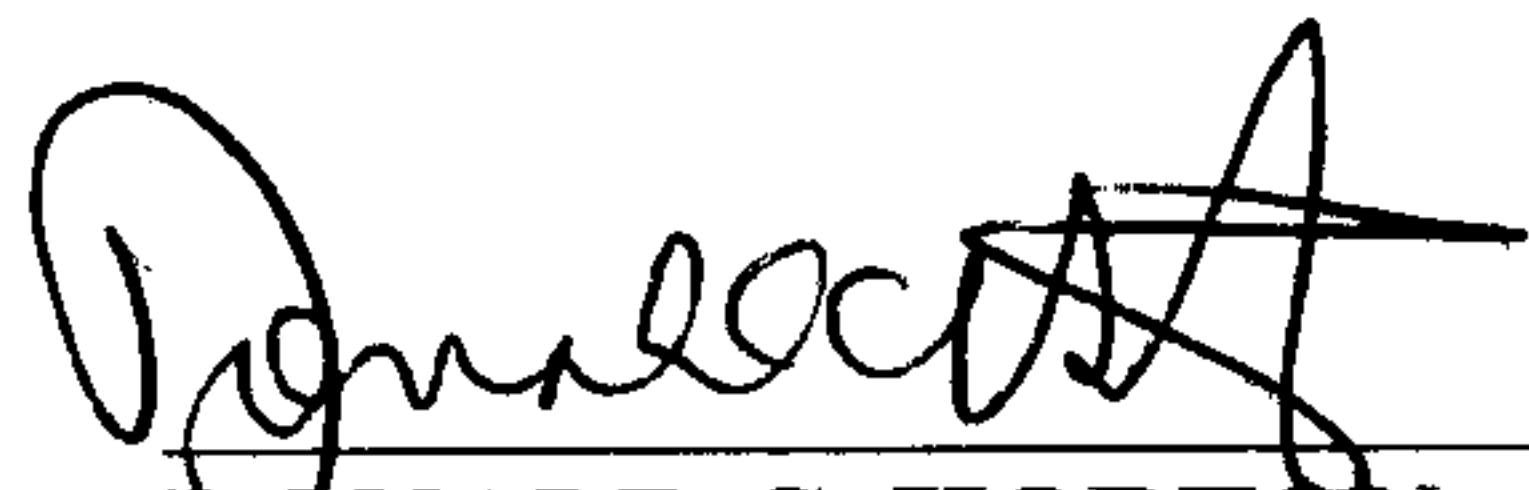
Deed performed without benefit of title and description provided by the grantee(s).

THIS PROPERTY CONSTITUTES NO PART OF THE HOMESTEAD OF THE GRANTOR, OF OR HER SPOUSE AS DEFINED BY THE CODE OF ALABAMA.

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, and 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, heirs, executors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 14 day of October 2008.

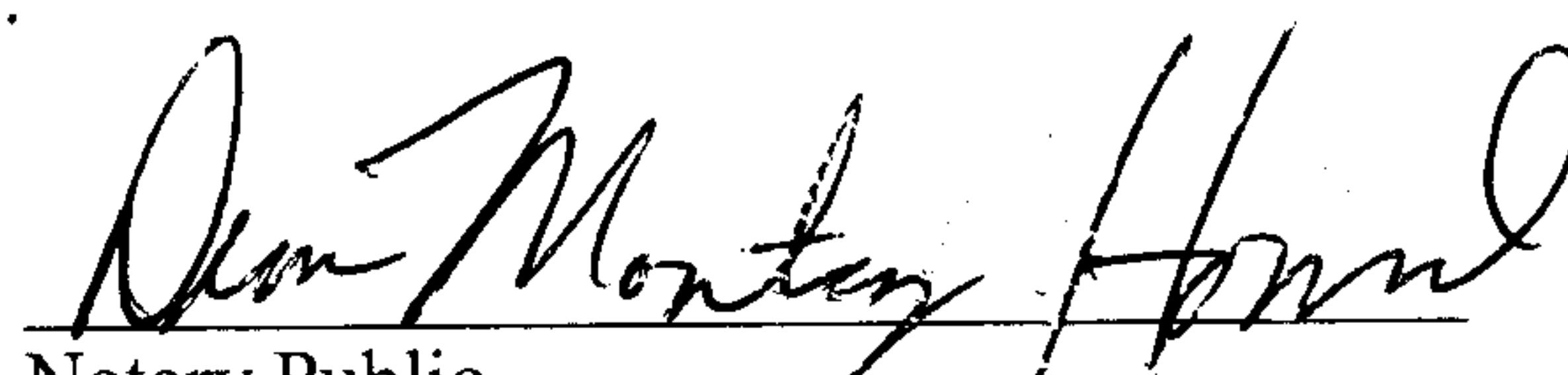

DONALD C. HORTON


DONALD L. HORTON

STATE OF ALABAMA)
SHELBY COUNTY)

I, the undersigned authority, a Notary Public in and for said County, in said State hereby that **Donald L. Horton**, 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 14th day of October 2008.


Notary Public

My commission expires:

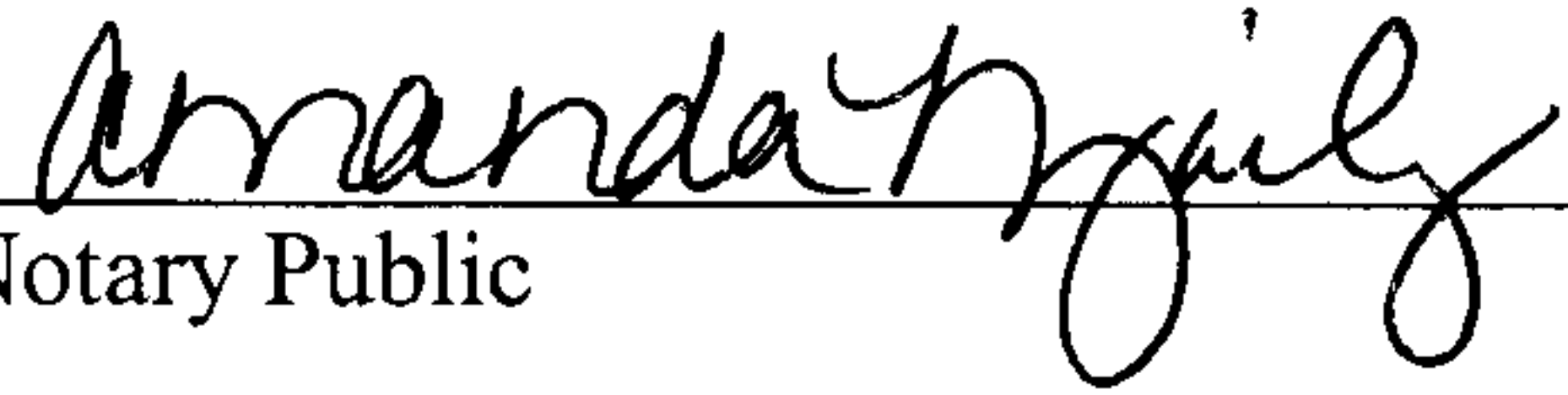
MY COMMISSION EXPIRES MARCH 6, 2012

STATE OF ALABAMA)
SHELBY COUNTY)

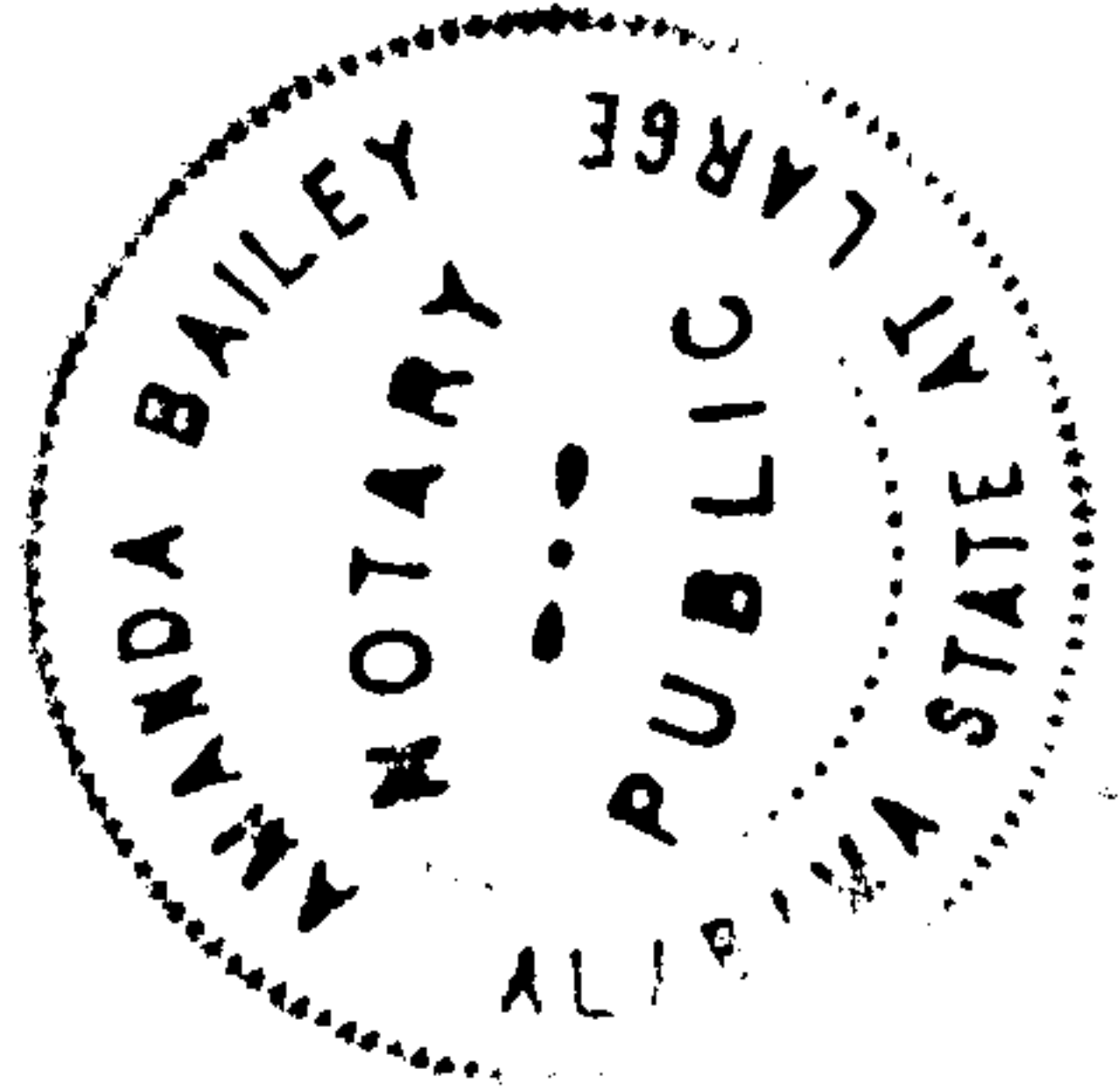

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I, the undersigned authority, a Notary Public in and for said County, in said State hereby that **Donald C. Horton**, whose name is signed to the foregoing conveyance, and who is known to me acknowledged before me on this day, that, being informed 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 14th day of October 2008.


Notary Public

My commission expires: 9/25/2012



20081014000405760 3/3 \$22.00
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STATE OF ALABAMA
SHELBY COUNTY

I, Rodney Y. Shifflett, a Registered Professional Land Surveyor in the State of Alabama do hereby certify that this is a true and correct plat of my survey as shown hereon. That there are no visible encroachments of any kind upon the subject lot except as shown hereon, excluding utility service lines, wires or pipes that serve the subject lot only that are within dedicated easements or rights of way. That steel corners have been found or installed at all lot corners. I further certify that this survey and this plat meet the minimum technical standards for the practice of land surveying in the State of Alabama, the correct legal description being as follows:

BEGIN at the NE Corner of the SE 1/4 of the SW 1/4 of Section 36, Township 21 South, Range 1 East, Shelby County, Alabama, said point being the POINT OF BEGINNING; thence S00°34'59"E, a distance of 183.55'; thence N64°11'06"W, a distance of 207.15'; thence S00°17'50"E, a distance of 69.45'; thence N85°51'54"W, a distance of 120.22'; thence S04°52'29"W, a distance of 221.76'; thence S02°28'57"W, a distance of 188.51'; thence N84°09'07"W, a distance of 46.47'; thence S20°00'12"W, a distance of 31.95'; thence S64°57'21"W, a distance of 31.13'; thence N89°54'18"W, a distance of 35.34'; thence N74°22'05"W, a distance of 43.17'; thence N44°44'44"W, a distance of 18.96'; thence S21°22'34"W, a distance of 11.76'; thence N81°30'13"W, a distance of 18.71'; thence N24°22'18"W, a distance of 20.36'; thence S77°10'54"W, a distance of 47.76'; thence N79°01'30"W, a distance of 19.91'; thence N45°09'18"W, a distance of 30.32'; thence N24°30'14"E, a distance of 506.66'; thence N06°45'17"W, a distance of 92.48'; thence S89°51'18"E, a distance of 426.33' to the POINT OF BEGINNING.

Said Parcel containing 3.62 acres, more or less.

ALSO AND INCLUDING a 30' Ingress/Egress and Utility Easement lying 15' either side of and parallel to the following described centerline:

Commence at the NE Corner of the SE 1/4 of the SW 1/4 of Section 36, Township 21 South, Range 1 East, Shelby County, Alabama; thence N89°51'18"W, a distance of 426.33'; thence S06°45'17"E, a distance of 15.11' to the POINT OF BEGINNING OF SAID CENTERLINE; thence N89°51'18"W, a distance of 895.94' to the Easterly R.O.W. line of Paradise Point Drive, 60' Access Road and the POINT OF ENDING OF SAID CENTERLINE.

I further certify that I have consulted the Federal Insurance Rate Map (F.I.R.M.) Community Panel #01117C 0465 D, Zone 'X' and Zone 'A', dated September 29, 2006 and found that the above described Parcel does not lie in a Flood Hazard Zone.

NOTE:

This Parcel shown and described herein may be subject to setbacks, easements, zoning and restrictions that may be found in the Probate Office of said County.

RECORDER'S MEMORANDUM
At the time of recordation, this instrument was found to be inadequate for the best photographic reproduction.