

THIS INSTRUMENT WAS PREPARED BY:

Burt W. Newsome  
NEWSOME LAW, L.L.C.  
P.O. Box 382753  
Birmingham, Alabama 35238

SEND TAX NOTICE TO:  
John T. Mitchell  
Phyllis H. Mitchell  
2052 Chelsea Ridge Drive  
Columbiana, AL 35051

STATE OF ALABAMA                    )  
  )  
SHELBY COUNTY                        )

**SPECIAL WARRANTY DEED**

That in consideration of ONE HUNDRED EIGHTY-FIVE THOUSAND AND NO/100 DOLLARS (\$185,000.00) to the undersigned paid by the Grantees herein, the receipt of which is hereby acknowledged, the undersigned ALIANT BANK, a bank organized under the laws of the State of Alabama (hereinafter called the Grantor), has granted, bargained and sold, and does by these presents grant, bargain, sell and convey unto JOHN T. MITCHELL AND PHYLLIS H. MITCHELL, husband and wife (hereinafter referred to as Grantees), with joint right of survivorship, the following described real estate situated in Shelby County, Alabama, to-wit:

Lot 46, according to the Survey of Chelsea Ridge Estates First Sector, as recorded in Map Book 35, page 150, in the Probate Office of Shelby County, Alabama.

This deed is subject to all matters of public record which would affect title vesting hereby in the Grantee under the present laws of the State of Alabama, including Sections 6-5-248 and 6-5-253, *Code of Alabama*.

No word, words, or provisions of this instrument are intended to operate as or imply covenants of warranty except the following: Grantor does hereby specially warrant the title to said property against the lawful claims of all persons claiming by, through or under the Grantor.

This property is being sold on an AS IS, WHERE IS basis, and with all faults. This property is also being sold subject to any easements, encumbrances, and exceptions reflected in the records of the office of the Judge of Probate of the county in which the above described property is located. This property is being sold without warrant of recourse, expressed or implied as to title, use and/or enjoyment and is being sold subject to the right of redemption of all parties entitled thereto.

**TO HAVE AND TO HOLD** the above described property, together with all rights and privileges incident or appurtenant thereto, unto JOHN T. MITCHELL AND PHYLLIS H. MITCHELL, with joint right of survivorship, their successors, heirs and assigns forever, it being the intention of the parties to this conveyance that on the event of Grantees' deaths, the entire interest in fee simple shall pass to the successors, heirs and assigns of the Grantees. This conveyance is made

under the express authority of *Code of Alabama*, 1975, Section 35-4-7, as amended.

**IN WITNESS WHEREOF**, ALIANT BANK, a bank organized under the laws of the State of Alabama, has caused this conveyance to be executed in its name by its undersigned officer, and its seal affixed this the 25 day of November, 2008.

ALIANT BANK

By: Jerry L. Robinson  
Its: Special Assets Officer

STATE OF ALABAMA                    )  
  )  
SHELBY COUNTY                        )

I, the undersigned authority, a Notary Public in and for said County and State, hereby certify that Jerry L. Robinson, Jr as Special Assets Officer of Aliant Bank whose name is signed to the foregoing special warranty deed, 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 25 day of November, 2008.

M. L. R.  
Notary Public

My commission expires: 5-21-12