


**INSTRUMENT PREPARED WITHOUT BENEFIT OF TITLE SEARCH**

  
20090204000035640 1/7 \$52.00  
Shelby Cnty Judge of Probate, AL  
02/04/2009 11:45:29AM FILED/CERT

This instrument was prepared by  
**Mitchell A. Spears**

Attorney at Law

P.O. Box 119

Montevallo, AL 35115-0091

205/665-5102

205/665-5076

Send Tax Notice to:

(Name) Donald Neal Holsomback

(Address) 38 Buttercup Drive

Montevallo, AL 35115

\*\*\*MINIMUM VALUE: \$15,000.00

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**Warranty Deed, Jointly for Life With Remainder to Survivor**

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STATE OF ALABAMA

COUNTY OF SHELBY

KNOW ALL MEN BY THESE PRESENTS,

That in consideration of **ONE DOLLAR and other good and valuable consideration** to the undersigned Grantor, in hand paid by the Grantees herein, the receipt whereof is acknowledged, I or we, **WILLIAM KENNETH HOLSOMBACK, DONALD NEAL HOLSOMBACK and JUDY KAY BLAKE, as Personal Representatives of the Estate of RUBY LEE HOLSOMBACK, deceased; WILLIAM KENNETH HOLSOMBACK and wife, MARTHA JO HOLSOMBACK; DONALD NEAL HOLSOMBACK and wife, CAROL ANN HOLSOMBACK; and JUDY KAY BLAKE and husband, EDWARD PAUL BLAKE, JR.** (herein referred to as Grantor, whether one or more), grant, bargain, sell and convey unto **DONALD NEAL HOLSOMBACK and wife, CAROL ANN HOLSOMBACK** (herein referred to as Grantees), the following described real estate, situated in **SHELBY** County, Alabama, to-wit:

Lot 3 of the Holsomback Family Subdivision, as recorded in Map Book 40, Page 127, Probate Office, Shelby County, Alabama, situated in the Northwest Quarter of the Southwest Quarter, Section 10, Township 22 South, Range 4 West, Shelby County, Alabama.

**SUBJECT TO:**

-Rights, reservations and restrictions of record.

**REFERENCE IS HEREBY MADE TO THE HEIRSHIP AFFIDAVIT HERETO ATTACHED AS EXHIBIT "A", SAME OF WHICH IS INCORPORATED HERewith, AS THOUGH FULLY SET FORTH HEREIN.**

TO HAVE AND TO HOLD, to the said GRANTEES, 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 for such survivor forever.

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

IN WITNESS WHEREOF, I (we) have hereunto set my (our) hand(s) and seal(s), this 30th day of January, 2009.

**Estate of Ruby Lee Holsomback, deceased:**

William Kenneth Holsomback  
By: William Kenneth Holsomback  
Its: Personal Representative

Donald Neal Holsomback  
By Donald Neal Holsomback  
Its: Personal Representative

Judy Kay Blake  
By: Judy Kay Blake  
Its: Personal Representative

**Individual Grantors:**

William Kenneth Holsomback  
William Kenneth Holsomback

Martha Jo Holsomback  
Martha Jo Holsomback

Donald Neal Holsomback  
Donald Neal Holsomback

Carol Ann Holsomback  
Carol Ann Holsomback


Judy Kay Blake  
Judy Kay Blake

Edward Paul Blake, Jr.  
Edward Paul Blake, Jr.

STATE OF ALABAMA     )  
COUNTY OF SHELBY    )

I, the undersigned authority a Notary Public in and for said County, in said State, hereby certify that **William Kenneth Holsomback** whose name as **Personal Representative** of the **Estate of Ruby Lee Holsomback, deceased**, 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, as such Personal Representative and with full authority, executed the same voluntarily for and as the act of said estate.

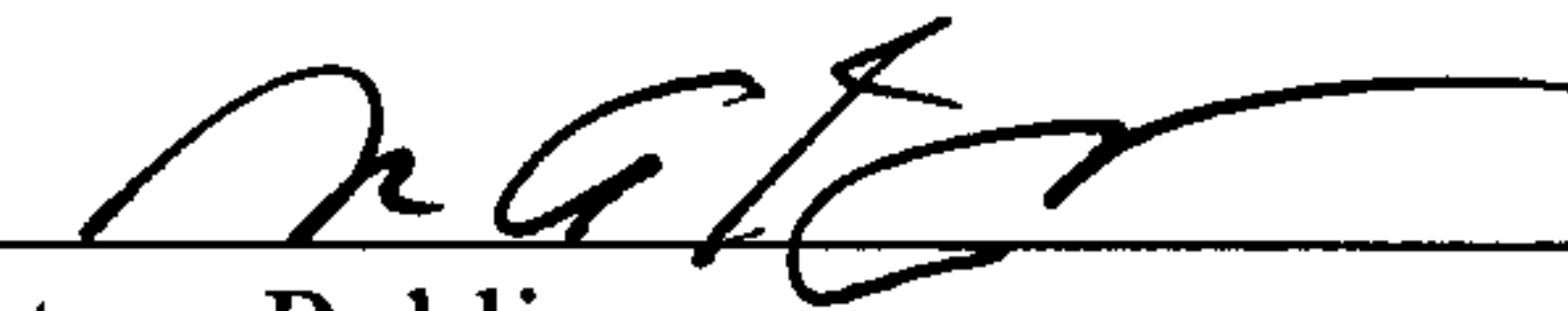
Given under my hand and official seal, this the 30th day of January, 2009.

  
\_\_\_\_\_  
Notary Public  
My Commission Expires: 8/13/09

STATE OF ALABAMA                    )  
COUNTY OF SHELBY                )

I, the undersigned authority a Notary Public in and for said County, in said State, hereby certify that **Donald Neal Holsomback** whose name as **Personal Representative of the Estate of Ruby Lee Holsomback, deceased**, 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, as such Personal Representative and with full authority, executed the same voluntarily for and as the act of said estate.


Given under my hand and official seal, this the 30th day of January, 2009.

  
\_\_\_\_\_  
Notary Public  
My Commission Expires: 8/13/09

STATE OF ALABAMA                    )  
COUNTY OF SHELBY                )

I, the undersigned authority a Notary Public in and for said County, in said State, hereby certify that **Judy Kay Blake** whose name as **Personal Representative of the Estate of Ruby Lee Holsomback, deceased**, 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, as such Personal Representative and with full authority, executed the same voluntarily for and as the act of said estate.

Given under my hand and official seal, this the 30th day of January, 2009.


  
\_\_\_\_\_  
Notary Public  
My Commission Expires: 8/13/09

STATE OF ALABAMA                    )  
COUNTY OF SHELBY                )

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that **William Kenneth Holsomback and Martha Jo Holsomback**, 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 that same bears date.

Given under my hand and official seal, this the 30th day of January, 2009.




  
\_\_\_\_\_  
Notary Public  
My commission expires: 8/13/09

STATE OF ALABAMA                   )  
COUNTY OF SHELBY               )

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that **Donald Neal Holsomback and Carol Ann Holsomback**, 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 that same bears date.


Given under my hand and official seal, this the 30th day of January, 2009.

  
\_\_\_\_\_  
Notary Public  
My commission expires: 8/13/09

STATE OF ALABAMA                   )  
COUNTY OF SHELBY               )

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that **Judy Kay Blake and Edward Paul Blake, Jr.**, 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 that same bears date.

Given under my hand and official seal, this the 30th day of January, 2009.

  
\_\_\_\_\_  
Notary Public  
My commission expires: 8/13/09

STATE OF ALABAMA     )  
COUNTY OF SHELBY    )


  
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EXHIBIT "A"

HEIRSHIP AFFIDAVIT

COME NOW William Kenneth Holsomback, Donald Neal Holsomback and Judy Kay Blake, as "Affiants" herein, and after first having been duly sworn, said Affiants do hereby depose and say, as follows:

1. Affiants have personal knowledge of the facts stated herein, are over the age of nineteen (19) years and are competent to execute this Affidavit.
2. On or about August 16, 1949, Roy Holsomback became seized of all right, title and interest in and to the NW ¼ of the SW ¼ of Section 10, Township 22 South, Range 4 West, situated in Shelby County, Alabama, by virtue of Warranty Deed recorded in the Office of the Probate Judge, Shelby County, Alabama, at Deed Book 132, Page 407.
3. Roy Holsomback died intestate on or about September 10, 1995, seized of that portion of the above-described real property described in the Holsomback Family Subdivision, as recorded in Map Book 40, Page 127, Probate Office, Shelby County, Alabama, leaving only his wife and three (3) children to survive him, more specifically designated, as follows:

Ruby Lee Holsomback (surviving wife)  
1737 Highway 54  
Montevallo, AL 35115

William Kenneth Holsomback (surviving son)  
2045 Stilesboro Drive, NW  
Kennesaw, GA 30152

Donald Neal Holsomback (surviving son)  
38 Buttercup Drive  
Montevallo, AL 35115

Judy K. Blake (surviving daughter)  
1801 Hwy. 54  
Montevallo, AL 35115

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4. No estate proceedings were ever filed on behalf of the Estate of Roy Holsomback, and none are anticipated.

5. On or about June 23, 2008, Ruby Lee Holsomback died testate, and her Will was probated in the Probate Court of Shelby County, Alabama, pursuant to Case Number PR-2008-000454, and Letters Testamentary issued to her above-referenced children, as Co-Personal Representatives of her estate, on July 17, 2008.

6. The above-designated children of Roy Holsomback and Ruby Lee Holsomback were the only children ever born to them, and they left no other children, either natural or adopted, to survive them, nor did they leave any descendants of any children, other than those hereinabove referenced.

7. The three (3) children of Ruby Lee Holsomback hereinabove referenced are the only devisees and distributees named within her Last Will and Testament.

8. At all times since August 16, 1949, only Roy Holsomback, Ruby Lee Holsomback, and their hereinabove designated children, are the only persons who have possessed or used the real property hereinabove described within said Map Book 40, Page 127; and there are no other persons or entities who have made any claim to any right, title or interest in and to said real property, since the date of conveyance of same to Roy Holsomback.

FURTHERMORE, Affiants saith naught.

William Kenneth Holsomback  
William Kenneth Holsomback  
Affiant

STATE OF ALABAMA                    )  
COUNTY OF SHELBY                )

Sworn to and subscribed before me this the 30th day of January, 2009.

Notary Public  
My commission expires: 8/13/09

Donald Neal Holsomback  
Donald Neal Holsomback, Affiant

STATE OF ALABAMA     )  
COUNTY OF SHELBY    )

Sworn to and subscribed before me this the 30<sup>th</sup> day of January, 2009.

Mr G B  
Notary Public  
My commission expires: 8/13/09

Judy Kay Blake  
Judy Kay Blake, Affiant

STATE OF ALABAMA     )  
COUNTY OF SHELBY    )

Sworn to and subscribed before me this the 30<sup>th</sup> day of January, 2009.

Mr G B  
Notary Public  
My commission expires: 8/13/09