

This instrument was prepared by:  
Mike T. Atchison  
101 West College Street  
Columbiana, AL 35051

Send Tax Notice To: John Mark Frey

101 Meyer Street  
Columbiana, Ala 35051

WARRANTY DEED, JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

STATE OF ALABAMA

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KNOW ALL MEN BY THESE PRESENTS,

SHELBY COUNTY

That in consideration of One Hundred Fifty Thousand dollars and Zero cents (\$150,000.00) to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt whereof is acknowledged, we, Otha Nell Holcombe, as Trustee of the Family Trust established in the Last Will and Testament and of the said Burl Harold Holcombe (herein referred to as grantors) do grant, bargain, sell and convey unto John Mark Frey and Amanda C Frey (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 attached exhibit "A"

Subject to taxes for 2009 and subsequent years.

Constitutes no part of the homestead of the grantor.

Deed performed without benefit of title.

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.

(\$150,000.00) of the purchase price was paid from the proceeds of a mortgage loan closed simultaneously herewith.

IN WITNESS WHEREOF, we have hereunto set our hands and seals, this 9th day of July, 2009.

\_\_\_\_\_  
(Seal)

*Otha Nell Holcombe as Trustee*  
Otha Nell Holcombe, as Trustee of the Family  
Trust established in the Last Will and Testament  
of the said Burl Harold Holcombe

\_\_\_\_\_  
(Seal)

\_\_\_\_\_  
(Seal)

\_\_\_\_\_  
(Seal)

STATE OF ALABAMA

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General Acknowledgment

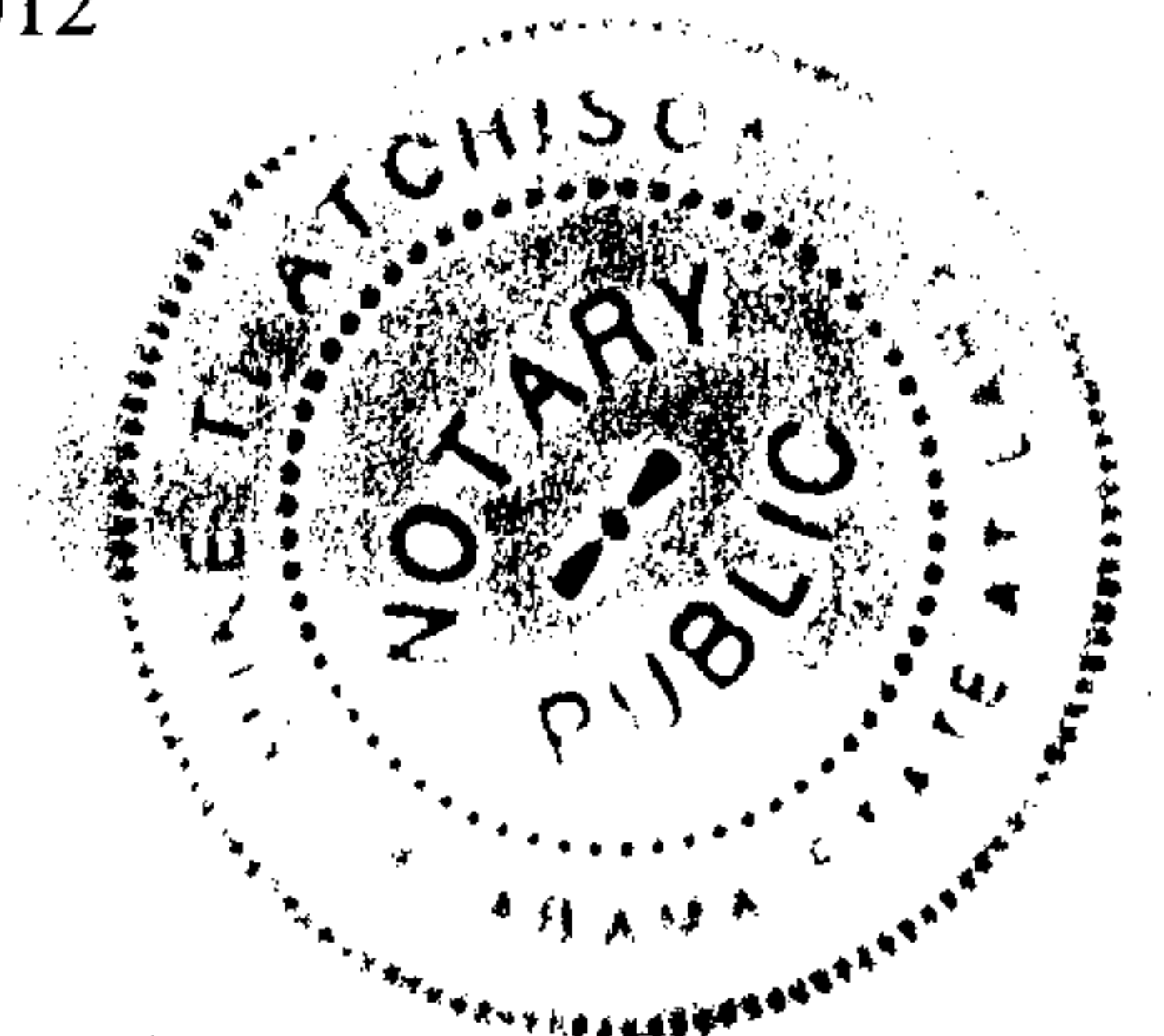
COUNTY OF SHELBY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Otha Nell Holcombe, as Trustee of the Family Trust established in the Last Will and Testament and of the said Burl Harold Holcombe 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 9<sup>th</sup> day of July 2009

*Mike T. Atchison*  
Notary Public  
My Commission Expires: 10/16/2012

20090727000286760 1/2 \$15.00  
Shelby Cnty Judge of Probate, AL  
07/27/2009 11:07:36 AM FILED/CERT



## EXHIBIT A

Commence at the northwest corner of the NW1/4 of the NE1/4 of Section 26, Township 21 South, Range 1 West, Shelby County, Alabama, run thence southerly along the west boundary of said 1/4-1/4 section a distance of 785.50 feet to a point on the southeast boundary of right-of-way of Ala. Highway No. 25 (Columbiana Bypass), said point being the point of beginning of the property herein described; thence turn an angle of 25 deg. 55 min. to the right and along said boundary of said R.O.W. for a distance of 38.4 feet; thence turn an angle of 114 deg. 50 min. to the left for a distance of 100.0 feet; thence turn an angle of 80 deg. 30 min. to the left a distance of 77.0 feet; thence turn an angle of 83 deg. 50 min. to the left a distance of 70.0 feet to a point on the southeast R.O.W. of Ala. Highway No. 25; thence turn an angle of 80 deg. 50 min. to the left and along said R.O.W. a distance of 66.6 feet to the point of beginning.

Commence at the Northwest corner of the NW1/4 of the NE1/4 of Section 26, Township 21 South, Range 1 West, Shelby County, Alabama, run thence southerly along the west boundary of said 1/4-1/4 section a distance of 785.50 feet to a point on the southeast boundary of Right of way of Ala. Highway No. 25 (Columbiana Bypass), thence turn an angle of 154 deg. 05 min. left and along said boundary of said R.O.W. for a distance of 66.6 feet to the point of beginning of property herein described; thence continue northeasterly along said R.O.W. a distance of 37.0 feet to a point; thence turn an angle of 90 deg. 00 min. right and a distance of 82.0 feet to a point; thence turn an angle of 86 deg. 00 min. right and a distance of 100.0 feet to a point; thence turn an angle of 168 deg. 40 min. right and a distance of 77.0 feet to a point; thence turn an angle of 83 deg. 50 min. left and a distance of 70.0 feet to the point of beginning.