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Shelby Cnty Judge of Probate, AL  
07/27/2010 11:59:48 AM FILED/CERT

# WARRANTY DEED

STATE OF ALABAMA       §  
COUNTY OF SHELBY     §

KNOW ALL MEN BY THESE PRESENTS, that for and in consideration of the sum of Ten and no/100 Dollars (\$10.00), cash in hand paid, and other good and valuable considerations, the receipt and sufficiency of which is hereby acknowledged, the undersigned CHERRY FARLEY NIX (who is also known as Cherry Lou Nix), the widow of John W. Nix (who was also known as John W. Nix, Sr. and who died on July 5, 2000, his estate having been administered in Case No. PR-2003-000189 in the Probate Court of Shelby County, Alabama), of 1975 Ashville Road, Montevallo, Alabama 35115 (hereinafter referred to as "Grantor"), does hereby grant, bargain, sell, convey and warrant unto my son JOHN W. NIX, JR., a single man, of 694 Salem Road, Montevallo, Alabama 35115 (hereinafter referred to as "Grantee") in fee simple, together with every contingent remainder and right of reversion, all of my right, title and interest in and to the following-described real estate situated in Shelby County, Alabama, to-wit:

A parcel of land containing 39.82 acres, more or less, situated in the Southeast Quarter of the Northwest Quarter and in the South Half of the Northeast Quarter of Section 16 of Township 22 South, Range 3 West, (Shelby County Tax Parcel No. 27-5-16-0-000-002.000), being more particularly described as follows:

Begin at the Southwest corner of the Southeast Quarter of the Northwest Quarter of said Section, Township, and Range, and run Easterly along the South side of the South Half of the North Half of said Section for 52.40 feet to a point on the East 80 foot right of way of Shelby County Road No. 15, then continue Easterly along the South side of the said South Half for 1790.82 feet, then turn an angle of 91 degrees 36 minutes 56 seconds to the left and run Northerly along the West side of the Reese Wooley land for 66.48 feet to the Northwest corner of said Wooley land, then turn an angle of 93 degrees 10 minutes 22 seconds to the right and run Easterly along a fence marking the North side of the Wooley land for 1357.39 feet, then turn an angle of 95 degrees 04 minutes 56 seconds to the left and run Northerly along the West side of the Mahler land for 1118.17 feet to an iron pin at a fence corner (said point being the Southeast corner of the Arnold property), then turn an angle of 91 degrees 09 minutes 54 seconds to the left and run Westerly along a fence marking the South side of the Arnold property for 323.29 feet to an iron pin, then turn an angle of 04 degrees 23 minutes to the left and run Westerly along a fence marking the South side of the Arnold property for 344.78 feet to an iron pin, then turn an angle of 12 degrees 09 minutes 45 seconds to the right and run Westerly along

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Deed Tax : \$10.00



a fence marking the South side of the Arnold land for 908.36 feet to an iron pin at a fence corner, then turn an angle of 94 degrees 48 minutes 24 seconds to the left and run Southerly along a fence marking the East side of the Arnold land for 1059.37 feet to an iron pin at a fence corner, then turn an angle of 91 degrees 36 minutes 37 seconds to the right and run Westerly for 1545.33 feet along a fence marking the South side of the Arnold land to a point on the East 80 foot right of way of Shelby County Road No. 15, then turn an angle of 96 degrees 43 minutes 39 seconds to the left and run Southerly for 52.34 feet to the point of beginning, containing 40.49 acres, more or less; being that parcel of land conveyed to John W. Nix and me by Warranty Deed dated April 9, 1977, recorded in Book 304, beginning at Page 854, among the records in the office of the Judge of Probate of Shelby County, Alabama, executed by Will D. Nix and wife, Lorraine Nix, Edgar Roy Nix and wife, Mary Junita Nix, Lydia N. Anderson, Mack Aron Nix and wife, Lurlene Nix, George Archie Nix and wife, Faye P. Nix, Lula M. Sherrer and husband, Bobby E. Sherrer, Peggy Nix and James Leon Nix and wife, Betty Joyce Nix.

LESS AND EXCEPT the following-described parcel of property situated in Shelby County, Alabama, which John W. Nix, Sr. and I conveyed to John W. Nix, Jr. by Warranty Deed dated December 9, 1994, recorded as Instrument No. 1995-15612, among the records in the office of the Judge of Probate of Shelby County, Alabama, to-wit: A parcel of land situated in the Southwest Quarter of the Northeast Quarter of Section 16 of Township 22 South, Range 3 West, being more particularly described as follows: Commence at the Southwest corner of the Southwest Quarter of the Northeast Quarter of said Section, Township and Range, and run North 89 degrees 52 minutes 39 seconds East for a distance of 428.03 feet to an iron pin for the point of beginning; thence continue North 89 degrees 52 minutes 39 seconds East for a distance of 100.00 feet to an iron pin; thence run North 1 degree 42 minutes 18 seconds West for a distance of 54.49 feet; thence run South 89 degrees 07 minutes 46 seconds East for a distance of 50.00 feet to an iron pin; thence run North 1 degree 26 minutes 17 seconds East for a distance of 155.32 feet to an iron pin; thence run South 89 degrees 42 minutes 51 seconds West for a distance of 158.48 feet to an iron pin; thence run South 1 degree 42 minutes 18 seconds East for a distance of 208.50 feet to the point of beginning, containing 0.67 acres, more or less.

ALSO, a perpetual easement and right-of-way for road purposes and installation of utilities over and along the land more particularly described as follows:

Commence at the Northwest corner of the Northeast Quarter of the Southwest Quarter of Section 16 of Township 22 South, Range 3 West, as the same was located by William J. Egan, Jr. by survey



dated January 18, 1977, and run thence in an Easterly direction along the Northern boundary of said quarter-quarter section to the Eastern right of way line of Shelby County Road No. 15 and the point of beginning hereof; thence turn to the left and run Northerly along the Eastern boundary of Shelby County Road No. 15 a distance of 52.34 feet to a point; thence turn to the right and run Easterly a distance of 1545.33 feet along a fence line to a point on the Western boundary of the John and Cherry Nix property; thence turn an angle of 90 degrees to the right and run Southerly a distance of 52.34 feet, more or less, to a point on the Northern boundary of the quarter-quarter section line, as located by the survey of William J. Egan, Jr. dated January 18, 1977; thence turn to the right and run Westerly 1545.33 feet to point of beginning; being that perpetual easement and right-of-way conveyed to John W. Nix and me by instrument dated November 5, 1977, recorded in Book 308, beginning at Page 896, and re-recorded in Book 322, beginning at Page 634, among the records in the office of the Judge of Probate of Shelby County, Alabama, executed by Irene R. Arnold.

SUBJECT TO those certain non-exclusive easements and rights-of-way for ingress, egress and utilities which John W. Nix, Sr. and I conveyed to John W. Nix, Jr. by the above-mentioned Warranty Deed dated December 9, 1994, and to James Leon Nix and wife, Betty Joyce Merchant Nix, by Easement and Right-of-Way Deed dated December 9, 1994, recorded as Instrument No. 1995-00543, among the records in the office of the Judge of Probate of Shelby County, Alabama, over and across a portion of the Southeast Quarter of the Northwest Quarter and the Southwest Quarter of the Northeast Quarter of Section 16 of Township 22 South, Range 3 West in Shelby County, Alabama, more particularly described as follows:

A strip of land 40 feet in width lying immediately North of and parallel to a line described as beginning at the Southwest corner of the Southeast Quarter of the Northwest Quarter of Section 16 of Township 22 South, Range 3 West, and run North 89 degrees 52 minutes 39 seconds East for a distance of 1368.97 feet to the Southeast corner of said quarter-quarter section; thence continue on said course for a distance of 428.03 feet to the Southeast boundary of said 40 foot wide easement.

ALSO SUBJECT TO that certain non-exclusive easement and right-of-way for ingress, egress and utilities which John W. Nix conveyed to Russell Bliss Nix and wife, Melinda Bracknell Nix, by Warranty Deed-Joint Tenancy dated February 19, 1997, recorded as Instrument No. 1997-05939, among the records in the office of the Judge of Probate of Shelby County, Alabama, over and across a portion of the Southeast Quarter of the Northwest Quarter of Section 16 of Township 22 South, Range 3 West in Shelby County, Alabama.

It being the specific intent of Grantor to convey and quitclaim to Grantee, and Grantor does hereby convey and quitclaim to Grantee, all of the land and real property interests which she owns in the Northwest Quarter, the Southwest Quarter, the North One-Fourth of the Southeast Quarter and the Northeast Quarter of Section 16 of

Township 22 South, Range 3 West, Shelby County, Alabama, whether more properly described above or not.

This conveyance is made subject to all easements, rights-of-way and restrictions of record, if any, and all zoning ordinances and is made without warranty of title whatsoever.

TO HAVE AND TO HOLD to the said Grantee, his heirs and assigns forever, together with every contingent remainder and right of reversion.

I do, for myself and my heirs, executors and administrators, covenant with the said Grantee, his heirs and assigns, that I am lawfully seized in fee simple of said premises, that they are free from all encumbrances, that I have a good right to sell and convey the same as aforesaid, that I will, and my heirs, executors and administrators shall warrant and defend the same to the said Grantee, his heirs and assigns forever against the lawful claims of all persons.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on this the \_\_\_\_\_ day of July, 2010.

Cherry Farley Nix  
CHERRY FARLEY NIX

STATE OF ALABAMA       §  
COUNTY OF SHELBY     §

I, the undersigned notary public in and for said County and State, do hereby certify that CHERRY FARLEY NIX, a widow, who is known to me, personally appeared and acknowledged before me on this day, that being informed of the contents of the instrument, she signed, executed and delivered the same voluntarily on the day the same bears date.

Given under my hand and official seal on this the 21 day of July, 2010.

(SEAL)

[Signature]  
Notary Public in and for Shelby County,  
Alabama

My commission expires: 8/24/10.

The above and foregoing instrument was prepared by James M. Nix of Jones and Nix, PLLC, Post Office Box 55601, Jackson, Mississippi 39296-5601, telephone (601) 948-6800, without benefit of title examination.