

This instrument was prepared by:
Michael T. Atchison, Attorney at Law, Inc.
101 West College
Columbiana, AL 35051

Send Tax Notice To: James R. Eaves

PO Box 213
Columbiana 35057

SPECIAL WARRANTY DEED, JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

STATE OF ALABAMA

} KNOW ALL MEN BY THESE PRESENTS,

COUNTY

20111216000381300 1/3 \$25.00
Shelby Cnty Judge of Probate, AL
12/16/2011 10:16:22 AM FILED/CERT

That in consideration of Eighty Five Thousand dollars and Zero cents (\$85,000.00) to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt whereof is acknowledged, we, M & F Bank (herein referred to as grantors) do grant, bargain, sell and convey unto James R. Eaves and Rebecca L Eaves (herein referred to as GRANTEES) as joint tenants with right of survivorship, the following described real estate situated in County, Alabama to-wit:

SEE ATTACHED EXHIBIT A FOR LEGAL DESCRIPTION

Subject to taxes for 2012 and subsequent years, easements, restrictions, rights of way, and permits of record.

\$78,268.94 of the purchase price was paid from the proceeds of a mortgage loan closed simultaneously herewith.

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.

The warranty of this conveyance is subject to all prior reservations and conveyances of all oil, gas, and other mineral rights, and to ad valorem taxes for the current year and all subsequent years. The ad valorem taxes for all years and periods after 2010 shall be and are the responsibility of the Grantee.

Further, the special warranty of this conveyance is subject to any re-assessments of the subject property as a result of improvements placed thereon or increase in assessed value for any reason. Grantee acknowledges that the Property is to be transferred by this Special Warranty Deed in an "as-is" condition with no warranties of any nature regarding the condition of the Property, its zoning or fitness for a particular purpose. Grantee acknowledges that Grantor has made no representation or warranty, either expressed or implied, regarding the condition or use of the Property, and Grantee has thoroughly inspected the Property and improvements thereon and is purchasing the same in an "as-is" condition. Grantee further acknowledges that Grantor completed foreclosure on the Property and as such makes no warranties as to title except a special warranty as to whatever title it may have obtained by virtue of the foreclosure subject to whatever defects or claims have been in existence at the time of the foreclosure. No survey has been provided by Grantor.

This conveyance is effective the day and year acknowledged herein and is subject to all protective covenants and restrictions, easements, rights-of-way, all prior reservations and conveyances of all oil, gas, and other mineral rights for which Grantees shall be responsible.

IN WITNESS WHEREOF, I have hereunto set my hand and seal, this 14th day of December, 2011.

(Seal)

(Seal)

(Seal)

M & F Bank
By: Vaiden Clark, As Vice President

(Seal)

(Seal)

(Seal)

Shelby County, AL 12/16/2011
State of Alabama
Deed Tax: \$7.00

STATE OF Mississippi

}

General Acknowledgment

COUNTY Hinds

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Vaiden Clark as Vice President of M & F Bank 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/she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 14 day of December, 2011

My Commission Expires: 10-16-12

Thomas Antley Eastland
Notary Public





20111216000381300 2/3 \$25.00
Shelby Cnty Judge of Probate, AL
12/16/2011 10:16:22 AM FILED/CERT

EXHIBIT A

Commence at the SW corner of the SW 1/4 of the NW 1/4 of Section 3, Township 22 South, Range 1 East; thence run North along said 1/4-1/4 line a distance of 232.96 feet to the point of beginning; thence continue along last described course a distance of 192.20 feet; thence turn an angle of 92 degrees 44 minutes 56 seconds right and run a distance of 154.00 feet; thence turn an angle of 94 degrees 45 minutes 00 seconds left and run a distance of 122.00 feet; thence turn an angle of 28 degrees 13 minutes 15 seconds left and run a distance of 187.04 feet to the southerly ROW of County Hwy.77; thence turn an angle of 87 degrees 06 minutes 08 seconds right and run a distance of 73.92 feet; thence turn an angle of 11 degrees 23 minutes 06 seconds left and run a distance of 45.33 feet to the southerly edge of a chert road; thence run the following described courses along said chert road; thence turn an angle of 95 degrees 10 minutes 20 seconds right and run a distance of 63.89 feet; thence turn an angle of 19 degrees 47 minutes 03 seconds right and run a distance of 106.68 feet; thence turn an angle of 16 degrees 14 minutes 49 seconds left and run a distance of 70.93 feet; thence turn an angle of 6 degrees 49 minutes 18 seconds left and run a distance of 57.60 feet; thence turn an angle of 12 degrees 34 minutes 46 seconds right and run a distance of 59.31 feet; thence turn an angle of 10 degrees 54 minutes 15 seconds left and run a distance of 103.97 feet; thence turn an angle of 22 degrees 25 minutes 03 seconds left and run a distance of 35.21 feet; thence turn an angle of 7 degrees 14 minutes 32 seconds right and run a distance of 44.10 feet; thence turn an angle of 7 degrees 45 minutes 31 seconds right and run a distance of 121.10 feet; thence turn an angle of 9 degrees 17 minutes 29 seconds right and run a distance of 44.80 feet; thence turn an angle of 14 degrees 58 minutes 03 seconds right and run a distance of 50.92 feet; thence turn an angle of 15 degrees 18 minutes 55 seconds right and run a distance of 52.01 feet; thence leaving said chert road turn an angle of 107 degrees 33 minutes 59 seconds right and run a distance of 698.76 feet to the point of beginning.

According to the survey of Rodney Shiflett, dated June 19, 2000.

