

THIS INSTRUMENT WAS PREPARED WITHOUT BENEFIT OF TITLE EVIDENCE. DESCRIPTION FURNISHED BY GRANTOR.

This instrument was provided by:
Mike T. Atchison
P O Box 822
Columbiana, AL 35051

Send Tax Notice to:
Michael Phillips
411 Horton Cove Rd
Calsen Ala 33040

WARRANTY DEED, JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

STATE OF ALABAMA)
SHELBY COUNTY)

KNOW ALL MEN BY THESE PRESENTS, That in consideration **Seventy Five Thousand Dollars and zero cents (\$75,000.00)**, and other good and valuable considerations to the undersigned grantor (whether one or more), in hand paid by grantee herein, the receipt whereof is acknowledged, I or we,

Fred Wayne Horton and wife, Gayle Horton

(herein referred to as grantor) grant, bargain , sell and convey unto,

Michael Phillips and Kimberly H. Phillips

(herein referred to as grantees), the following described real estate, situated in: SHELBY County, Alabama, to-wit:

SEE ATTACHED EXHIBIT A FOR LEGAL DESCRIPTION

Subject to all easements, restrictions and rights-of-way of record.

This property constitutes no part of the homestead of the grantor, or of his/her spouse.

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

All of 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, and 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, heirs, executors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 9th day of November, 2012.

Fred Wayne Horton

Fred Wayne Horton

Gayle Horton

Gayle Horton

STATE OF ALABAMA)
COUNTY OF SHELBY)

I, the undersigned authority, a Notary Public in and for said County, in said State hereby certify that
Fred Wayne Horton and Gayle Horton
whose name(s) is/are signed to the foregoing conveyance, and who is/are known to me acknowledged before me on this day, that, being informed of the contents of the conveyance he/she/they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 9th day of November, 2012.

Notary Public

Notary Public
My Commission Expires: 10/4/2016

EXHIBIT A
LEGAL DESCRIPTION

STATE OF ALABAMA
SHELBY COUNTY

I, Rodney Y. Shiflett, a Registered Professional Land Surveyor in the State of Alabama do hereby certify that this is a true and correct plat of my survey as shown hereon. That there are no visible encroachments of any kind upon the subject lot except as shown hereon, excluding utility service lines, wires or pipes that serve the subject lot only that are within dedicated easements or rights of way. That steel corners have been found or installed at all lot corners. I further certify that this survey and this plat meets standards of practice for land surveying in the State of Alabama, the correct legal description being as follows:

Commence at the SW Corner of the NW 1/4 of Section 6, Township 22 South, Range 1 West, Shelby County, Alabama; thence N88°31'12"E, a distance of 824.54'; thence N88°13'06"E, a distance of 187.28'; thence N82°48'45"E, a distance of 1611.43' to the POINT OF BEGINNING, said point lying in the approximate centerline of Horton Cove Road and a 30' Ingress/Egress, Utility & Drainage Easement, also being the beginning of a non-tangent curve to the left, having a radius of 750.00, a central angle of 17°27'23", and subtended by a chord which bears N06°05'01"W, and a chord distance of 227.62'; thence along the arc of said curve and said centerlines, a distance of 228.50'; thence N14°50'45"W and along said centerlines, a distance of 122.20' to the beginning of a curve to the left, having a radius of 1250.00, a central angle of 00°36'57", and subtended by a chord which bears N15°07'11"W, and a chord distance of 13.44'; thence along the arc of said curve and said centerlines, a distance of 13.44'; thence N71°45'08"E and leaving said centerlines, a distance of 215.01' to the approximate centerline of a creek, (all further calls will be along center of creek until otherwise noted); thence S56°55'52"E, a distance of 18.20'; thence S75°27'18"E, a distance of 10.75'; thence N80°46'51"E, a distance of 43.09'; thence N25°25'49"E, a distance of 17.49'; thence N71°24'05"E, a distance of 112.04'; thence N45°47'19"E, a distance of 27.76'; thence N56°41'33"E, a distance of 67.06'; thence N87°14'58"E, a distance of 42.61'; thence S70°55'29"E, a distance of 39.97'; thence S40°41'49"E, a distance of 47.59'; thence S31°44'15"E, a distance of 57.55'; thence S09°47'35"E, a distance of 71.34'; thence S19°09'41"E, a distance of 93.73'; thence S06°40'52"W, a distance of 97.09'; thence S56°31'55"E, a distance of 77.64' to the Northwestern R.O.W. line of Norfolk Southern Railroad; thence S28°08'28"W, leaving said centerline of creek and along said R.O.W. line, a distance of 383.04'; thence N64°49'13"W and leaving said R.O.W. line, a distance of 512.66' to the POINT OF BEGINNING.

Said Parcel containing 7.54 acres, more or less.

I further certify that I have consulted the Federal Insurance Rate Map (F.I.R.M.) Community Panel #01117C 0415 D & #01117C 0420 Zone 'X', dated September 29, 2006 and found that the above described Parcel does not lie in a Flood Hazard Zone.

SUBJECT TO an 30' Ingress/Egress, Utility and Drainage Easement, as recorded in Inst. #20120106000007130, in the Office of the Judge of Probate of Shelby County, Alabama.

NOTE:
This Parcel shown and described herein may be subject to setbacks, Right-of-Ways, easements, zoning and restrictions that may be found in the Probate Office of said County.


20121119000444700 2/3 \$19.00
Shelby Cnty Judge of Probate, AL
11/19/2012 03:18:36 PM FILED/CERT

Real Estate Sales Validation Form

This Document must be filed in accordance with Code of Alabama 1975, Section 40-22-1

Grantor's Name Fred Wayne Horton Grantee's Name Michael Phillips
Mailing Address 201 Horton Cove Rd Mailing Address 411 Horton Cove Rd
Calera Ala 35040 Calera Ala
35040
Property Address 203 Horton Cove Rd Date of Sale 11-9-12
Columbiana Ala 35051 Total Purchase Price \$ 75,000.00
Or
Actual Value \$ _____
Or
Assessors Market Value \$ _____

The purchase price or actual value claimed on this form can be verified in the following documentary evidence: (Check one) (Recordation of documentary evidence is not required)

☐ Bill of Sale
 ☐ Appraisal
☒ Sales Contract
 ☐ Other
☐ Closing Statement

If the conveyance document presented for recordation contains all of the required information referenced Above, the filing of this form is not required

Instructions

Grantor's name and mailing address – provide the name of the person or persons conveying interest to property and their current mailing address.

Grantee's name and mailing address – provide the name of the person or persons to whom interest to property is being conveyed.

Property address – the physical address of the property being conveyed, if available.

Date of Sale – the date on which interest to the property was conveyed.

Total Purchase Price – the total amount paid for the purchase of the property, both real and personal, being conveyed by the instrument offered for recording.

Actual Value – If the property is not being sold, the true value of the property, both real and personal, being conveyed by the instrument offered for record. This may be evidence by an appraisal conducted by a licensed appraiser or the assessor's current market value.

If no proof is provided and the value must be determined, the current estimated fair market value, excluding current use valuation, of the property as determined by the local official charged with the responsibility of valuing property for property tax purposes will be used and the taxpayer will be penalized pursuant to Code of Alabama 1975, Section 40-22-1 (h).

I attest to the best of my knowledge and belief that the information contained in this document is true and accurate. I further understand that any false statements claimed on this form may result in the imposition of the penalty indicated in Code of Alabama 1975, Section 40-22-1 (h).

Date 11-9-12

____ Unattested _____
(verified by)

Print Fred Wayne Horton
Sign Fred Wayne Horton
(Grantor/Grantee/Owner/Agent) circle one

