

96.
WILLIAM W. BALLARD, ET UX

GRANTORS

TO

WARRANTY DEED

GERALD L. JONES, ET UX

GRANTEES

For and in the consideration of the conveyance to the Grantors herein by the Grantees herein of good and valid merchantable title in fee simple in and to those lands more particularly described in Deed Book 151 at page 485 of the land records of DeSoto County, Mississippi, and the assumption by the Grantors herein of the purchase money deed of trust secured thereby to which reference is hereby made, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, We, William W. Ballard and wife Brenda Barbee Ballard do hereby sell, convey and warrant unto Gerald L. Jones and wife Joan C. Jones as tenants by the entirety with the rights of survivorship and not as tenants in common, the following lands lying and being situated in Section 13, Township 3, Range 8, in the City of Hernando, DeSoto County, Mississippi:

Lot 293 and Lot 294 as shown by the official map of the Town of Hernando located in the office of the Chancery Court Clerk of DeSoto County, Mississippi, to which map or plat reference is hereby made for a more particular description.

Title in the Grantors is deraigned as follows: Said lands were conveyed to J. W. Barbee by deed of record in Deed Book 15 at page 357 on May 18, 1909, who devised said lands to his widow, Anna B. Barbee, by will of record in Will Book 5 at page 194. The said Anna B. Barbee died intestate of February 9, 1944, in DeSoto County, Mississippi, with a fixed place of residence therein, and was survived by her six (6) children who were her sole heirs at law and who were all adults: Alice Irene Barbee, Pearle Barbee Burns, J. F. Barbee, John W. Barbee, Elizabeth Rae Barbee who, by deed of record in Deed Book 36 at page 49, conveyed their undivided five sixth (5/6) interest in said lands to the sixth child, Mills E. Barbee. By deed of recorded in Deed Book 38 at page 248, the said Mills E. Barbee conveyed an undivided one half (1/2) interest in said lands to his wife, Willie Belle Smith Barbee, who died intestate on March 3, 1964, with a fixed place of

Page Two (2)

residence in DeSoto County, Mississippi, and whose sole heirs at law were her husband, the said Mills E. Barbee, and her only two children: Brenda Elizabeth Barbee and Mills E. Barbee, Jr. The said Mills E. Barbee died intestate on January 20, 1965, with a fixed place of residence in DeSoto County, Mississippi, and was survived by his sole heirs at law who were his only children: Brenda Elizabeth Barbee and Mills E. Barbee, Jr. By deed of record in Deed Book 108 at page 264 the said Mills E. Barbee, Jr. conveyed his undivided one half (1/2) interest in said lands to his said sister, Brenda Barbee Ballard who was formerly known as Brenda Elizabeth Barbee, and to her husband, William W. Ballard.

Included in this conveyance is that portion of an abandoned street known as West Street located between Lots 291, 292, 293, and 294 which is expressly excluded from the Grantors' warranty of title but to which the Grantors herein do hereby convey and quit claim all their right, title and interest therein unto the Grantees herein. By way of explanation, the said street was abandoned by ordinance of the Town of Hernando of July 2, 1974, and was published in the DeSoto Times, a newspaper having general circulation in the said Town, on page 12 thereof on July 11, 1974. The Grantors herein and William E. Leigh and wife, Evelyn E. Leigh, owners of lots 291 and 292, according to the said official map of said Town, did thereupon mutually agree upon the property line between their adjoining lands which was established by a fence which continues to exist and remains located as agreed upon by said parties.

Reference is hereby made to that certain quitclaim deed of record in Deed Book 133 at page 26 for the location of the east property line of the lands conveyed hereby.

The Grantors' warranty of title is subject to rights of way and easements for public roads and for public utilities; to building, subdivision, zoning and health department regulations in effect in the said City of Hernando; to any discrepancies, conflicts, encroachments, servitudes, shortages in area and boundaries or other facts which a current survey would show.

All references made herein to recorded instruments and documents are located in the office of the Chancery Court Clerk of DeSoto County, Mississippi.

City and County taxes for the year 1983 shall be prorated between the parties as of the date hereof. Possession is to be given on or before June 4, 1983.

Witness our signatures, this the 2nd day of June, 1983.

William W. Ballard
William W. Ballard

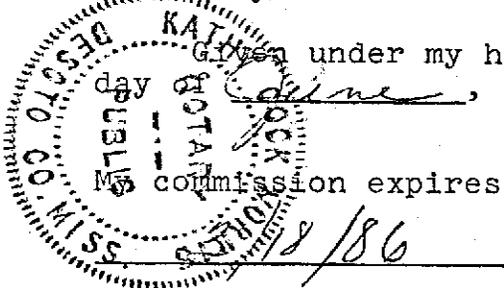
Brenda Barbee Ballard
Brenda Barbee Ballard

STATE OF MISSISSIPPI
COUNTY OF DESOTO

Personally appeared before me, the undersigned authority in and for aforementioned County and State, the within named WILLIAM W. BALLARD and wife, BRENDA BARBEE BALLARD, who acknowledged that they signed and delivered the above and foregoing Warranty Deed as their voluntary act and deed and for the purposes therein expressed.

Given under my hand and official seal of office, this the 2nd day of June, 1983.

My commission expires:



Kathy C. Morris
NOTARY PUBLIC

Grantor's Address
219 - North Elm St.
Hernando, MS

Grantor's Address
75 - Valley St.
Hernando, MS

STATE OF MISSISSIPPI, DESOTO COUNTY

I certify that the within instrument was filed for record at 8 o'clock 10 minutes A.M. 2 day of June 1983, and that the same has been recorded in Book 165 Page 90 records of WARRANTY DEEDS of said County.

Witness my hand and seal this the 2 day of June 1983.
Fee 4.50 pd H. M. O'Leary CLERK