

THIS INSTRUMENT PREPARED BY:  
Claude McCain Moncus, Esq.  
CORLEY, MONCUS & WARD, P.C.  
2100 SouthBridge Parkway  
Suite 650  
Birmingham, Alabama 35209  
(205) 879-5959

SEND TAX NOTICE TO:  
Monty C. & Kelly J. Todd  
2104 Bailey Brook Drive  
Birmingham, Alabama 35244

**WARRANTY DEED**

State of Alabama  
County of Shelby

**KNOW ALL MEN BY THESE PRESENTS:** That in consideration of ONE HUNDRED FOURTY EIGHT THOUUSAND FIVE HUNDRED AND 00/100 DOLLARS (\$148,500.00) to the undersigned Grantor or Grantors in hand paid by the Grantees, whether one or more, herein, the receipt of which is hereby acknowledged, We, **Timothy Andrew Fox and wife, Jennifer Sucher Fox** (herein referred to as Grantors) do grant, bargain, sell and convey unto **Monty C. Todd and wife, Kelly J. Todd** (herein referred to as Grantees), as individual owner or as joint tenants, with right of survivorship, if more than one, the following described real estate, situated in the State of Alabama, County of Shelby, to-wit:

Lot 34, according to the survey of Riverchase West, Dividing Ridge, as recorded in Map Book 6, Page 108, in the Probate Office of Shelby County, Alabama.

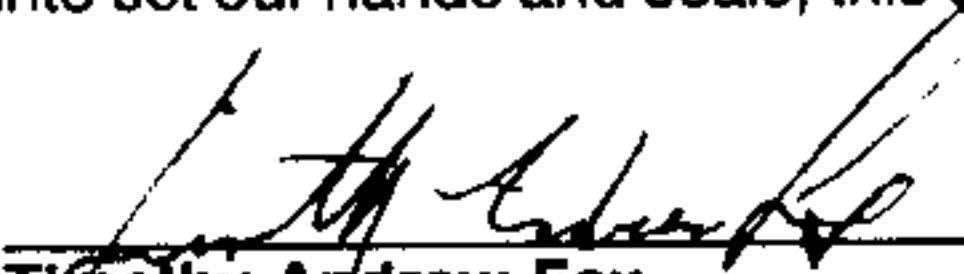
Subject to existing easements, restrictions, set back lines, rights of ways, limitations, if any, of record and Ad Valorem taxes for the year 1996, which said taxes are not due and payable until October 1, 1996.

\$118,000.00 of the purchase price recited above was paid from a mortgage loan closed simultaneously herewith.

**TO HAVE AND TO HOLD** unto the said Grantee(s), his/her/their heirs and assigns, forever; it being the intention of the parties to this conveyance, that if more than one Grantee, then to the Grantees as joint tenants with right of survivorship (unless the joint tenancy hereby created is severed or terminated during the joint lives of the Grantee(s) 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 said Grantee(s), his/her/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 heirs, executors and administrators shall, warrant and defend the same to the said Grantee(s), his/her/their heirs, and assigns forever, against the lawful claims of all persons.

**IN WITNESS WHEREOF**, we have hereunto set our hands and seals, this 5th day of January, 1996.

 (Seal)  
Timothy Andrew Fox

 (Seal)  
Jennifer Sucher Fox

DISK4:Todd.DOC

01/10/1996-00949  
02:27 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 HCD 41.50

Inst # 1996-00949

\*\*\*\*\*

State of Alabama

Jefferson County

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that **Timothy Andrew Fox and wife, Jennifer Sucher Fox**, 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 foregoing, they executed the same voluntarily on the day the same bears date.

Given under my hand this the 5th day of January, 1996.



Notary Public

(SEAL)

My commission expires: 12/28/99

Inst # 1996-00949

01/10/1996-00949  
02:27 PM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE  
DOE HCD 41.50

DISK4:Todd.DOC  
Return To:  
Corley, Moncus & Ward, P.C.  
2100 SouthBridge Parkway  
Suite 650  
Birmingham, AL 35289