

16-2464

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was
prepared by:

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PADEN & PADEN
Attorneys at Law
100 Concourse Parkway, Suite 130
Birmingham, Alabama 35244

SEND TAX NOTICE TO:

MICHAEL T. WALTON
121 TINTERN ABBEY
ALABASTER, AL 35007

Inst # 1996-29193

09/05/1996-29193
10:16 AM CERTIFIED
SHELBY COUNTY JUDGE & PROBATE
27.50
902 *EL

STATE OF ALABAMA)

COUNTY OF SHELBY)

JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

WARRANTY DEED

Know All Men by These Presents: That in consideration of ONE HUNDRED SIXTY FOUR THOUSAND FIVE HUNDRED and 00/100 (\$164,500.00) DOLLARS to the undersigned grantor, CARTER HOMEBUILDERS, INC. in hand paid by the GRANTEES herein, the receipt of which is hereby acknowledged, the said GRANTOR, does by these presents, grant, bargain, sell and convey unto MICHAEL T. WALTON and JANETH G. WALTON, HUSBAND AND WIFE, (herein referred to as GRANTEES, as joint tenants, with right of survivorship, whether one or more) the following described real estate, situated in SHELBY County, Alabama, to-wit:

LOT 26, ACCORDING TO THE SURVEY OF WEATHERLY, GLEN ABBEY, SECTOR 12, AS RECORDED IN MAP BOOK 18 PAGE 128 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

SUBJECT TO:

1. Subject to the taxes for the year beginning October 1, 1995 which constitutes a lien but are not yet due and payable until October 1, 1996.
2. Building setback line of 30 feet reserved from Tintern Abbey as shown by plat.
3. Restrictions, covenants and conditions as set out in instrument(s) recorded as Instrument #1994-25694, amended by Instrument #1995-9413 in Probate Office.
4. Transmission Line Permit(s) to Alabama Power Company as shown by instrument(s) recorded in Deed 127 page 410 and Deed 194 page 30 in Probate Office.
5. Agreement for ingress and egress recorded in Deed 289 page 858 in Probate Office.
6. Minerals and mining rights excepted, together with privileges and immunities relating thereto, together with any release of liability for injury or damage to persons or property as a result of the exercise of such rights as recorded in Instrument #1994-24487 in the Probate Office.
7. Restrictions, limitations and conditions as set out by Map Book 18 page 128 in the Probate Office.
8. Agreement for waterline easement as shown by Instrument #1992-14698 in Probate Office.

\$148,000.00 of the consideration herein was derived from a mortgage 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 said GRANTOR does for itself, its successors and assigns, covenant with the said GRANTEES, his, her, or their heirs and assigns, that it is lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that it has a good right to sell and convey the same as aforesaid, and that it will and its successors and assigns shall warrant and defend the same to the said GRANTEES, his, her, or their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said GRANTOR, CARTER HOMEBUILDERS, INC., by its VICE-PRESIDENT, RAYBURN CARTER who is authorized to execute this conveyance, has hereunto set its signature and seal, this the 23rd day of August, 1996.

CARTER HOMEBUILDERS, INC.

By: Rayburn Carter
RAYBURN CARTER, VICE-PRESIDENT

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that RAYBURN CARTER, whose name as VICE-PRESIDENT of CARTER HOMEBUILDERS, INC., a corporation, 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 or she, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand this the 23rd day of August, 1996.

[Signature]
Notary Public

My commission expires: 7/16/98

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