

05/22/1997-15928
09:18 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
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(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was
prepared by:

R. Shan Paden
PADEN & PADEN
Attorneys at Law
100 Concourse Parkway, Suite 130
Birmingham, Alabama 35244

SEND TAX NOTICE TO:

TIMOTHY M. TERRELL
3161 CHESTNUT OAK DRIVE
BIRMINGHAM, AL 35244

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 SEVENTY FIVE THOUSAND and 00/100 (\$175,000.00) DOLLARS to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, NELLA B. STEPHENSON, A WIDOW (herein referred to as GRANTORS) do grant, bargain, sell and convey unto TIMOTHY M. TERRELL and ANN J. TERRELL, 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 28-A, ACCORDING TO THE RE-SURVEY OF LOTS 15 THROUGH 29, INCLUSIVE OF THE FAIRWAYS AT RIVERCHASE, AS RECORDED IN MAP BOOK 14, PAGE 40, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

SUBJECT TO:

1. Subject to the taxes for the year beginning October 1, 1996 which constitutes a lien but are not yet due and payable until October 1, 1997.
2. 10 foot easement over the rear lot line of said parcel for public utilities, sanitary sewers, storm sewers, storm sewers as shown on recorded map.
3. Restrictions appearing of record in Misc. Volume 14, Page 536; and amended by Misc. Volume 17, Page 550; Book 148, Page 327; Book 218, Page 800; Book 245, Page 696 and Book 350, Page 815.
4. Terms, agreements and right of way to Alabama Power Company, as recorded in Book 24, Page 195.
5. Rights of owners of property adjoining property in and the joint or common rights in building situated on said lots, such rights include but are not limited to roof, foundation, party walls, walkway and entrance.
6. Agreement with Alabama Power Company for Underground Residential Distribution as shown by instrument(s) recorded in Book 224, Page 182.
7. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto, together with any release of liability for injury or damage to person or property as a result of the exercise of such rights as recorded in Deed Book 127, Page 40.

8. Release of damages as shown by instrument in Book 148, Page 327.
9. Easements as reserved recorded in Book 148, Page 327.
10. Notice of Compliance Certification as shown by instruments recorded in Misc. Volume 34, Page 549.
11. Right of way granted to Alabama Power Company, by instrument(s) recorded in Deed Book 355, Page 274.
12. Easement for ingress, egress and public utilities, as shown on recorded map.

NELLA B. STEPHENSON IS THE SURVIVING GRANTEE OF DEED RECORDED IN REAL BOOK 297, PAGE 792, IN PROBATE OFFICE OF SHELBY COUNTY, ALABAMA, THE OTHER GRANTEE, CARL L. STEPHENSON, HAVING DIED ON OR ABOUT THE 15th DAY OF August, 1995.

\$ 157,500.00 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 I (we) do for myself (ourselves) and for my (our) heirs, executors, and administrators covenant with the said GRANTEES, his, her, or 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, his, her, or their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said GRANTORS, NELLA B. STEPHENSON, have hereunto set his, her or their signature(s) and seal(s), this the 19th day of May, 1997.

Nella B. Stephenson
NELLA B. STEPHENSON

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that NELLA B. STEPHENSON, 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, or they executed the same voluntarily on the day the same bears date.

Given under my hand this the 19th day of May, 1997.

[Signature]
Notary Public

My commission expires: 7/16/98

Inst # 1997-15928

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