

## (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:

MICHAEL A. CLEMMONS  
153 MALLARD POINTE CIRCLE  
PELHAM, AL 35124

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 FIFTY SEVEN THOUSAND FIVE HUNDRED and 00/100 (\$157,500.00) DOLLARS to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, DEBORAH LYNN GUNN, AND HUSBAND DEREK M. GUNN, ACTING BY AND THROUGH HIS ATTORNEY IN FACT, DEBORAH LYNN GUNN (herein referred to as GRANTORS) do grant, bargain, sell and convey unto MICHAEL A. CLEMMONS and DIANIA R. CLEMMONS, 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 41, ACCORDING TO THE AMENDED MAP OF A RESURVEY OF LOTS 41 AND 42 OF MALLARD POINTE, AS RECORDED IN MAP BOOK 13, PAGE 58, 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. 40 foot building line from the front lot line; a 5 foot utility easement along the Westerly and Southerly lot lines and a 10 foot utility easement running through the Northerly portion of lot, as shown on recorded map.
3. Restrictions appearing of record in Book 109, Page 39.
4. Right of way granted to South Central Bell Telephone Company by instrument(s) recorded in Book 114, Page 290; Book 116, Page 277 and Book 98, Page 98.
5. Agreement with Alabama Power for underground residential distribution in Book 117, Page 590 and re-recorded in Book 126, Page 133.
6. Terms, agreements and right of way to Alabama Power Company, as recorded in Book 117, Page 593 and re-recorded in Book 126, Page 136.
7. Right of way granted to Alabama Power Company by instrument(s) recorded in Deed Book 127, Page 394 and Book 114, Page 161.

DEBORAH LYNN GUNN IS ONE AND THE SAME PERSON AS DEBORAH LYNN WEATHERLY.

\$133,875.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

06/03/1997-17132  
09:13 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 MEL 35.00

Inst # 1997-17132

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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, DEBORAH LYNN GUNN AND DEREK M. GUNN, have hereunto set his, her or their signature(s) and seal(s), this the 29th day of May, 1997.

  
DEBORAH LYNN GUNN

*Derek M. Gunn, acting by and through his attorney in fact, Deborah Lynn Gunn*  
DEREK M. GUNN, ACTING BY AND THROUGH HIS ATTORNEY IN FACT, DEBORAH LYNN GUNN

STATE OF ALABAMA)  
COUNTY OF SHELBY)

# ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that DEBORAH LYNN GUNN, 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 29th day of May, 1997.

  
Notary Public

My commission expires: 7/16/98

# ACKNOWLEDGEMENT

STATE OF ALABAMA)  
COUNTY OF SHELBY)

I, the undersigned, a Notary Public in and for said State of Alabama at Large, hereby certify that DEBORAH LYNN GUNN, whose name as Attorney in Fact for DEREK M. GUNN, is signed to the foregoing instrument and who is known to me, acknowledged before me that this date that, being informed of the instrument, she, in her capacity as such Attorney in Fact, and with full authority executed the same voluntarily on the date the same bears date.

Given under my hand and seal on this the 29TH day of MAY, 1997.

  
NOTARY PUBLIC

MY COMMISSION EXPIRES: 7/16/98

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