

Inst # 1998-37777

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was prepared by:

SEND TAX NOTICE TO:

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

ROBERT J. NEAL
116 SUMMERCHASE PARKWAY
CALERA, AL 35040

STATE OF ALABAMA)

COUNTY OF SHELBY)

JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

WARRANTY DEED

Know All Men by These Presents: That in consideration of NINETY NINE THOUSAND NINE HUNDRED and 00/100 (\$99,900.00) DOLLARS to the undersigned grantor, HANDLEY AND HANDLEY CONSTRUCTION, 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 ROBERT J. NEAL and JESSICA SHEA NEAL, 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 5, ACCORDING TO THE SURVEY OF SUMMERCHASE, PHASE I, AS RECORDED IN MAP BOOK 23 PAGE 7 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

SUBJECT TO:

1. Taxes for the year beginning October 1, 1998 which constitutes a lien but are not yet due and payable until October 1, 1999.
2. Easements as shown by recorded plat, including 30 feet along the Southeasterly side and 5 feet along the Southwesterly side of lot.
3. Restrictions, covenants and conditions as set out in instrument(s) recorded in Inst. #1997-30687 in Probate Office.
4. Transmission Line Permit(s) to Alabama Power Company as shown by instrument(s) recorded in Deed Book 174 page 309; Deed Book 99 page 465; Deed Book 103 page 168 and Deed Book 206 page 220 in Probate Office.
5. Covenant releasing predecessor in title from any liability arising from sinkholes, limestone formations, soil conditions or any other known or unknown surface or subsurface conditions that may now or hereafter exist or occur or cause damage to subject property, as shown by instrument recorded in Map Book 23 page 7 in Probate Office.
6. Restrictions, limitations and conditions as set out in Map Book 23 page 7.
7. Reservation of ingress, egress, drainage and utility easement(s) as set out in Inst. #1997-7984 in Probate Office.

\$79,920.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

09/29/1998-37777
09:00 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 MEL 31.00

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, HANDLEY AND HANDLEY CONSTRUCTION, INC., by its SECRETARY, MITCHELL HANDLEY who is authorized to execute this conveyance, has hereunto set its signature and seal, this the 10th day of September, 1998.

HANDLEY AND HANDLEY CONSTRUCTION, INC.

By: *Mitchell Handley*
MITCHELL HANDLEY, SECRETARY

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that MITCHELL HANDLEY, whose name as SECRETARY of HANDLEY AND HANDLEY CONSTRUCTION, 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 10th day of September, 1998.

Robert S. Rau
Notary Public

My commission expires: 7/11/02

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