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(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was  
prepared by:

SEND TAX NOTICE TO:

R. Shan Paden  
PADEN & PADEN  
Attorneys at Law  
Five Riverchase Ridge, Suite 100  
Birmingham, Alabama 35244-2893

RICHARD A. MERKEL  
1933 CRESTRIDGE DRIVE  
BIRMINGHAM, AL 35244

Inst # 1999-11489

STATE OF ALABAMA)

03/19/1999-11489  
08:48 AM CERTIFIED

COUNTY OF SHELBY)

SHELBY COUNTY JUDGE OF PROBATE  
002 CCM 46.00

JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

WARRANTY DEED

Know All Men by These Presents: That in consideration of THIRTY FIVE THOUSAND and 00/100 (\$35,000.00) DOLLARS to the undersigned grantor, SOUTHTRUST MORTGAGE CORPORATION 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 RICHARD A. MERKEL and KIMBERLY D. MERKEL, 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 1202, ACCORDING TO THE SURVEY OF RIVERCHASE COUNTRY CLUB, 19TH ADDITION, AS RECORDED IN MAP BOOK 9, PAGE 59, IN THE OFFICE OF THE JUDGE OF PROBATE 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. RIGHT OF WAY IN FAVOR OF ALABAMA POWER COMPANY IN REAL VOLUME 23, PAGE 717.
3. AGREEMENT WITH ALABAMA POWER COMPANY IN REAL 24, PAGE 858.
4. RESTRICTIONS RECORDED IN REAL 24, PAGE 861.
5. RESTRICTIONS AND EASEMENTS, RECORDED IN MAP BOOK 14, PAGE 536 AND AMENDED IN MAP BOOK 11, PAGE 550.
6. MINERAL AND MINING RIGHTS AND RIGHTS INCIDENT THERETO AND RESTRICTIONS RECORDED IN REAL 349, PAGE 146.
7. ALL RIGHTS OF REDEMPTION ON THE PART OF THOSE ENTITLED TO REDEEM AS PROVIDED BY THE LAWS OF THE STATE OF ALABAMA AND THE UNITED STATES OF AMERICA BY VIRTUE OF A FORECLOSURE SALE HELD ON SEPTEMBER 14, 1998, WHICH SAID RIGHTS WILL EXIST FROM SAID PERIOD.

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, SOUTHTRUST MORTGAGE CORPORATION, by its ASSISTANT VICE-PRESIDENT, JIM SANDERS who is authorized to execute this conveyance, has hereunto set its signature and seal, this the 5th day of March, 1999.

SOUTHTRUST MORTGAGE CORPORATION

By:

  
JIM SANDERS,

ITS: ASSISTANT 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 JIM SANDERS, whose name as ASSISTANT VICE-PRESIDENT of SOUTHTRUST MORTGAGE CORPORATION, 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 5TH day of MARCH, 1999.

  
Notary Public

My commission expires: 9.29.02

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