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(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was  
prepared by:

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

SEND TAX NOTICE TO:

DAVID H. JUHOLA  
2743 WELLINGTON DRIVE  
PELHAM, AL 35124

Inst. # 1999-46243

11/12/1999-46243  
09:09 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 CJI 54.00

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 TWENTY FOUR THOUSAND NINE HUNDRED and 00/100 (\$124,900.00) DOLLARS to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, WILLIAM BARRY BENNER and PATRICIA G. BENNER, HUSBAND AND WIFE (herein referred to as GRANTORS) do grant, bargain, sell and convey unto DAVID H. JUHOLA and SAUNDRA F. JUHOLA, 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 11, ACCORDING TO THE SURVEY OF CHANDA TERRACE, 6<sup>TH</sup> SECTOR, AS RECORDED IN MAP BOOK 16, PAGE 10, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

**SUBJECT TO:**

1. TAXES FOR THE YEAR BEGINNING OCTOBER 1, 1999 WHICH CONSTITUTES A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 2000.
2. RESTRICTIONS APPEARING OF RECORD IN BOOK 389, PAGE 850 AND AS SHOWN ON RECORDED MAP.
3. RIGHT OF WAY GRANTED TO ALABAMA POWER COMPANY BY INSTRUMENT(S) RECORDED IN DEED BOOK 179, PAGE 375; DEED BOOK 264, PAGE 28; DEED BOOK 301, PAGE 390; DEED BOOK 315, PAGE 207; DEED BOOK 333, PAGE 706; AND INSTRUMENT #1992-26814.
4. 15 FOOT BUILDING LINE FROM WELLINGTON DRIVE AND A 15 FOOT UTILITY EASEMENT ALONG THE REAR LOT LINE, AS SHOWN ON RECORDED MAP.

\$74,900.00 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

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, WILLIAM BARRY BENNER and PATRICIA G. BENNER, HUSBAND AND WIFE, have hereunto set his, her or their signature(s) and seal(s), this the 25th day of October, 1999.

*William Barry Benner Acting by and Through His Attorney in Fact,*  
WILLIAM BARRY BENNER, ACTING BY AND THROUGH  
HIS ATTORNEY IN FACT, PATRICIA G. BENNER *Patricia G. Benner*

*Patricia G. Benner*  
PATRICIA G. BENNER

STATE OF ALABAMA)  
COUNTY OF SHELBY)

#### ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that PATRICIA G. BENNER, 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 25th day of October, 1999.

*[Signature]*  
Notary Public

My commission expires: 7/11/02

STATE OF ALABAMA)  
COUNTY OF SHELBY)

#### ACKNOWLEDGMENT

I, the undersigned, a Notary Public in and for said State of Alabama at Large, hereby certify that PATRICIA G. BENNER, whose name as Attorney in Fact for WILLIAM BARRY BENNER, is signed to the foregoing instrument and who is known to me, acknowledged before me on 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 this the 25th day of October, 1999.

*[Signature]*  
Notary Public

My commission expires: 7/11/02

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