

This instrument was prepared by

Send Tax Notice To: Chesley Brandon Niven  
name  
323 Liberty Ridge Road  
address  
Chelsea, AL

(Name) Larry L. Halcomb  
3512 Old Montgomery Highway  
(Address) Birmingham, Alabama 35209

WARRANTY DEED, JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

STATE OF ALABAMA }  
SHELBY COUNTY } KNOW ALL MEN BY THESE PRESENTS,

That in consideration of One Hundred Seventy Three Thousand Five Hundred and No/100 (173,500.00) to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt whereof is acknowledged, we,

Brian Wallace and Wife, Andrea L. Wallace  
(herein referred to as grantors) do grant, bargain, sell and convey unto

Chesley Brandon Niven and Kacy J. Niven  
(herein referred to as GRANTEES) as joint tenants with right of survivorship, the following described real estate situated in  
Shelby County, Alabama to-wit:

Lot 35, according to the Survey of Countryside at Chelsea, Second Sector, as recorded in Map Book 10, page 94, in the Probate Office of Shelby County, Alabama.

Minerals and mining rights excepted.

Subject to taxes for 2001.

See items on attached Exhibit "A".

Inst # 2001-01849

01/17/2001-01849

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SHELBY COUNTY JUDGE OF PROBATE

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\$ 164,800.00 of the purchase price was paid from the proceeds of a mortgage loan 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, 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, their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, we have hereunto set our hand(s) and seal(s), this 12th day of January, 2001.

\_\_\_\_ (Seal)

\_\_\_\_ (Seal)

\_\_\_\_ (Seal)

Brian Wallace (Seal)

Andrea L. Wallace (Seal)

\_\_\_\_ (Seal)

STATE OF ALABAMA

JEFFERSON COUNTY

General Acknowledgment

I, Larry L. Halcomb, a Notary Public in and for said County, in said State, hereby certify that Brian Wallace and Wife, Andrea L. Wallace whose name(s) are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 12th day of January A.D., 2001

Larry L. Halcomb Notary Public

My Commission Expires: 1/23/02

EXHIBIT "A"

Restrictions or Covenants recorded in Real 120, page 316, and Real 123, page 10, in the Probate Office of Shelby County, Alabama, but omitting any covenant or restriction based on race, color, religion, sex, handicap, familial status, or national origin.

Agreement with Alabama Power Company recorded in Real 129, page 515, in the Probate Office of Shelby County, Alabama.

35 foot building line, as shown by recorded map.

10 foot easement on North, as shown by recorded map.

Restrictions, covenants and conditions as set out in instruments recorded in Real 201, page 463 and Map Book 12, page 84, in the Probate Office of Shelby County, Alabama.

Right of Way granted to Alabama Power Company by instrument recorded in Real 15, page 899, in the Probate Office of Shelby County, Alabama.

Agreement with Alabama Power Company as to underground cables recorded in Real 199, page 767, and covenants pertaining thereto recorded in Real 202, page 681, in the Probate Office of Shelby County, Alabama.

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