

WARRANTY DEED

This Instrument Was Prepared By:

Frank K. Bynum, Esquire
#17 Office Park Circle
Birmingham, Alabama 35223

SEND TAX NOTICE TO:

David W. Richmond
1009 Hermitage Circle
Birmingham, AL 35242

STATE OF ALABAMA)

KNOW ALL MEN BY THESE PRESENTS,

COUNTY OF SHELBY)

That in consideration of ONE DOLLAR (\$1.00), AND THE PURPOSE OF CREATING SURVIVORSHIP TITLE, to the undersigned Grantors in hand paid by the Grantees herein, the receipt of which is hereby acknowledged, **DAVID W. RICHMOND AND WIFE, THERESA M. RICHMOND**, (herein referred to as Grantors) do grant, bargain, sell and convey unto **DAVID W. RICHMOND AND THERESA M. RICHMOND** (herein referred to as Grantees), as joint tenants, with right of survivorship, the following described real estate, situated in the State of Alabama, County of SHELBY, to-wit:

Initial DWR SMR

SEE EXHIBIT "A" FOR LEGAL DESCRIPTION

Subject to existing easements, restrictions, set back lines, right of ways, limitations, if any, of record.

Subject to that certain mortgage to Southeastern Mortgage of Alabama dated May 29, 2001 and recorded 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 we do for ourselves and for our heirs, executors, and administrators covenant with said Grantees, their heirs and assigns, that we are lawfully seized in fee simple of said premises, that they are free from all encumbrances, unless otherwise noted above; that we have a good right to sell and convey the same as aforesaid; that we will and my heirs, executors and administrators shall, warrant and defend the same to the said Grantees, their heirs, and assigned forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, we have hereunto set our hands and seal, this 29TH day of May, 2001.

David W. Richmond
DAVID W. RICHMOND

Theresa M. Richmond
THERESA M. RICHMOND

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that **DAVID W. RICHMOND AND WIFE, THERESA M. RICHMOND** whose names 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 the 29th day of May, 2001.

Frank K. Bynum
Notary Public

My Commission Expires: 11/20/2004

zrichm

06/04/2001-22585
01:28 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 MEL 14.50

Inst # 2001-22585

EXHIBIT "A"

Lot 3128, according to the amended Map of Highland Lakes, 3rd Sector, Phase I, an Eddleman Community, as recorded in Map Book 21, Page 124, in the Probate Office of Shelby County, Alabama.

Together with nonexclusive easement to use the private roadways, Common Area all as more particularly described in the Declaration of Easements and Master Protective Covenants for Highland Lakes, a Residential Subdivision, recorded as Instrument #1994-07111 in the Probate Office of Shelby County, Alabama, and the Declaration of Covenants, Conditions and Restrictions for Highland Lakes, a Residential Subdivision, 3rd Sector, recorded as Instrument #1996-17544 in the Probate Office of Shelby County, Alabama (which, together with all amendments thereto, is hereinafter collectively referred to as, the "Declaration").

Mineral and mining rights excepted.

DWR

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