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20041020000580580 Pg 1/2 49.00  
Shelby Cnty Judge of Probate, AL  
10/20/2004 14:56:00 FILED/CERTIFIED

(RECORDING INFORMATION ONLY ABO'

This Instrument was  
prepared by:

SEND TAX NOTICE TO:

R. Shan Paden

ARTHUR C. HARTLEY IV  
461 FOREST LAKES DRIVE  
STERRETT, AL., 35147

PADEN & PADEN  
Attorneys at Law  
5 Riverchase Ridge, Suite 100  
Birmingham, Alabama 35244

STATE OF ALABAMA)

COUNTY OF SHELBY)

**JOINT TENANTS WITH RIGHT OF SURVIVORSHIP**

**STATUTORY WARRANTY DEED**

**Know All Men by These Presents:** That in consideration of ONE HUNDRED SEVENTY FOUR THOUSAND TWO HUNDRED DOLLARS and 00/100 (\$174,200.00) to the undersigned grantor, AMERICAN HOMES AND LAND 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 ARTHUR C. HARTLEY IV and AMY HARTLEY, 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 185, ACCORDING TO THE SURVEY OF FOREST LAKES SUBDIVISION, 3<sup>RD</sup> SECTOR, 2<sup>ND</sup> PHASE, AS RECORDED IN MAP BOOK 32, PAGE 26 A & B IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

SUBJECT TO:

1. 2004 AD VALOREM TAXES NOT YET DUE AND PAYABLE.
2. ALL EASEMENTS, RIGHTS-OF-WAY, RESTRICTIONS, COVENANTS AND ENCUMBRANCES OF RECORD.
3. SUBJECT TO MATTERS SHOWN ON RECORDED MAP BOOK 32 AT PAGE 26A & B.
4. RESTRICTIONS APPEARING OF RECORD AS INSTRUMENT NO. 20031006000671360.
5. EASEMENT(S) AND/OR RIGHTS OF WAY TO ALABAMA POWER COMPANY RECORDED IN BOOK 126, PAGE 191; BOOK 16 AT PAGE 323; AND BOOK 236 AT PAGE 829.
6. EASEMENTS TO SHELBY COUNTY APPEARING OF RECORD.

\$139,360.00 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 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, AMERICAN HOMES AND LAND CORPORATION, by its CLOSING AGENT, GEORGE M. VAUGHN who is authorized to execute this conveyance, has hereunto set its signature and seal, this the 30th day of September, 2004.

AMERICAN HOMES AND LAND CORPORATION

By: George M. Vaughn, Closing Agent  
GEORGE M. VAUGHN, CLOSING AGENT

STATE OF ALABAMA)  
COUNTY OF SHELBY)

#### ACKNOWLEDGMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that GEORGE M. VAUGHN, whose name as CLOSING AGENT of AMERICAN HOMES AND LAND 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 30th day of September, 2004.

[Signature]  
Notary Public

My commission expires: 10-2-05