

10501-2285

SCA

20050215000074300 Pg 1/2 15.00
Shelby Cnty Judge of Probate, AL
02/15/2005 10:43:00 FILED/CERTIFIED

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was prepared by:

SEND TAX NOTICE TO:

Jon M. Turner, Jr.
TURNER & ASSOCIATES, LLC
Attorneys at Law
2101 Highland Avenue
Birmingham, Alabama 35205

KERRY L. MILLER
209 CHASE DRIVE
PELHAM, ALABAMA 35124

STATE OF ALABAMA)
COUNTY OF SHELBY)

WARRANTY DEED
JOINTLY WITH RIGHT OF SURVIVORSHIP

Know All Men by These Presents: That in consideration of **THREE HUNDRED SEVENTY FIVE THOUSAND AND NO/100 (\$375,000) Dollars** to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, **H. WALKER & ASSOCIATES, INC.** (herein referred to as GRANTOR) do grant, bargain, sell and convey unto **K. LEE MILLER AND TRACY T. MILLER, HUSBAND AND WIFE**, (herein referred to as GRANTEES, whether one or more) the following described real estate, situated in **SHELBY** County, Alabama, to-wit:

LOT 1, ROYAL OAKS 7TH SECTOR, AS RECORDED IN MAP BOOK 24, PAGE 112, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA; BEING SITUATED IN SHELBY COUNTY, ALABAMA.

SUBJECT TO:

1. Subject to the taxes for the year beginning October 1, 2004, which constitutes a lien, but are not yet due and payable until October 1, 2005.
2. 40 foot minimum building set back line from Chase Drive as shown by recorded map.
3. Restrictions, covenants and conditions as setforth in Instrument #1998-42422.
4. Easement to South Central Bell as setforth in Real 66, page 477.
5. Title to all oil, gas and minerals within and underlying the premises, together with all oil and mining rights and other rights, privileges and immunities relating thereto, together with any release of liability for injury or damage to persons or property as a result of the exercise of such rights as recorded in Instrument #1998-44796, in the Probate Office of Shelby County, Alabama.
6. Restrictions, limitations and conditions as setforth in Map Book 24, page 113.
7. Any loss, cost, damage, expense and attorney's fees occasioned by any Covenants and Restrictions as setforth in Instrument #1998-42422, as amended.

\$375,000.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

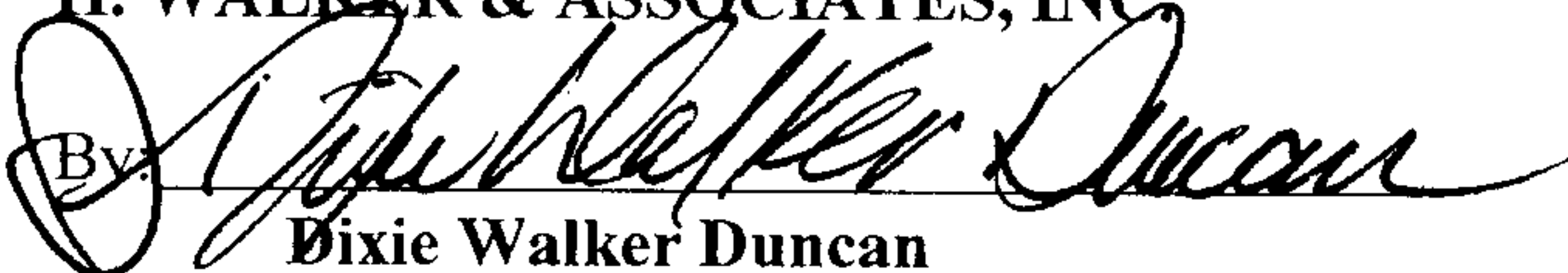
TO HAVE AND TO HOLD Unto the said GRANTEES as joint tenants, with right of survivorship, their heirs and assigns, forever; it being the intention of the parties to this conveyance, that (unless the joint tenancy hereby created is severed or terminated during the joint lives of the grantees herein) in 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 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.

Grantor makes no warranty or covenant respecting the nature of the quality of the title to the property hereby conveyed other than that the Grantor has neither permitted or suffered any lien, encumbrance or adverse claim to the property described herein since the date of acquisition thereof by the Grantor.

IN WITNESS WHEREOF, the said GRANTOR, **H. WALKER & ASSOCIATES, INC., BY ITS VICE PRESIDENT, DIXIE WALKER DUNCAN**, who is authorized to execute this conveyance, has hereunto set its signature and seal, this the 28TH day of JANUARY, 2005.

H. WALKER & ASSOCIATES, INC.

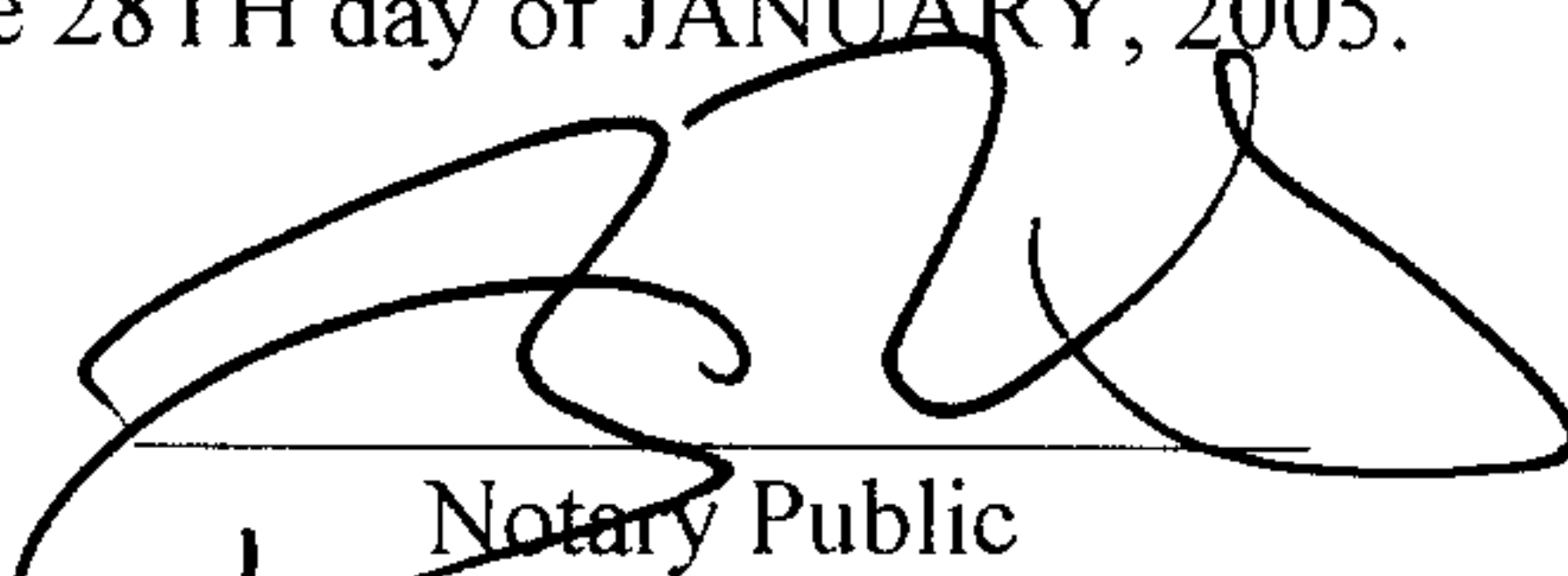
By 
Dixie Walker Duncan
Its: Vice President

STATE OF ALABAMA)
COUNTY OF **JEFFERSON**)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that **DIXIE WALKER DUNCAN**, whose name as **VICE PRESIDENT of H. WALKER & ASSOCIATES, INC.,** 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 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 28TH day of JANUARY, 2005.


Notary Public

My commission expires: 