12543

20050603000270950 1/2 $24.00
Shelby Cnty Judge of Probate, AL
06/03/2005 02:43:58PM FILED/CERT

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was prepared by:
PADEN & PADEN
5 Riverchase Ridge
Birmingham, Alabama 35244

SEND TAX NOTICE TO:
SCOTT T. YUNKE
978 OLD CAHABA DRIVE
HELENA, AL 35080

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 NINETY FOUR THOUSAND FOUR HUNDRED FORTY NINE DOLLARS and 00/100 ($194,449.00) to the undersigned grantor, AMERICAN HOMES AND LAND CORPORATION, AN ALABAMA LIMITED LIABILITY COMPANY 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 SCOTT T. YUNKE and CHRISSIE A. YUNKE, 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:

SCOTT T. YUNKE AND SCOTT T. YUNKE JR ARE ONE IN THE SAME.

LOT 1335 ACCORDING TO THE SURVEY OF OLD CAHABA IV, 2ND ADDITION, PHASE THREE, AS RECORDED IN MAP BOOK 33 AT PAGE 80 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

SUBJECT TO:

1. TAXES FOR THE YEAR BEGINNING OCTOBER 1, 2004 WHICH CONSTITUTES A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 2005.

2. SUBJECT TO MATTERS SHOWN ON RECORDED MAP BOOK 33 PAGE 80.

3. RESTRICTIONS APPEARING OF RECORD IN INST. NO. 20040610000313070.

4. EASEMENTS AND RIGHTS OF WAY OF RECORD, AFFECTING INSURED PREMISES.

5. TITLE TO ALL MINERALS, OIL AND GAS WITHIN AND UNDERLYING THE PREMISES, TOGETHER WITH ALL MINING RIGHTS AND OTHER RIGHTS, PRIVILEGES AND IMMUNITIES RELATING THERETO, AS RESERVED IN BOOK 15 AT PAGE 415, BOOK 61 AT PAGE 164; REAL VOLUME 133 AT PAGE 277 AND REAL VOLUME 321 AT PAGE 629.

6. RIGHTS OF CLAIMS OF PARTIES IN POSSESSION NOT SHOWN BY THE PUBLIC RECORDS.

7. ENCROACHMENTS, OVERLAPS, BOUNDARY LINE DISPUTES, VARIATIONS OR SHORTAGES IN AREA OR CONTENT AND ANY OTHER MATTERS WHICH WOULD BE DISCLOSED BY AN ACCURATE SURVEY AND/OR INSPECTION OF THE PREMISES.

8. ROADS, STREAMS, WAYS OR EASEMENTS OR CLAIMS OR EASEMENTS NOT SHOWN BY THE PUBLIC RECORDS, RIPARIAN RIGHTS AND TITLE TO ANY FILLED IN LAND.

9. ANY LIEN, OR RIGHT TO A LIEN, FOR SERVICES, LABOR OR MATERIALS HERETOFORE OR HEREAFTER FURNISHED, IMPOSED BY LAW AND NOT SHOWN BY THE PUBLIC RECORDS.

10. ANY ASSESSMENT WHICH IS A LIEN, BUT NOT YET CERTIFIED TO PROPER TAX AUTHORITY.

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$184,726.00 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 20th day of May, 2005.

AMERICAN HOMES AND LAND CORPORATION

By: _____
GEORGE M. VAUGHN, CLOSING AGENT

STATE OF ALABAMA)
COUNTY OF SHELBY)

Shelby County, AL 06/03/2005
State of Alabama

Deed Tax:$10.00

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, an Alabama Limited Liability Company, 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 entity.

Given under my hand this the 20th day of May, 2005.

_____
Notary Public

My commission expires: 9/12/2005