20050912000471380 1/2 $63.00
Shelby Cnty Judge of Probate,AL
09/12/2005 01:44:03PM FILED/CERT

THIS INSTRUMENT WAS PREPARED BY:

Massey Stotser & Nichols P.C.
1780 Gadsden Highway
Birmingham, Al 35235

SEND TAX NOTICE TO:

Michael C. Hathorne & Sarah Lynn Hathorne
277 Woodbury Drive
Sterrett, Alabama 35147

STATE OF ALABAMA ()
SHELBY COUNTY ()

Shelby County, AL 09/12/2005
State of Alabama

Deed Tax:$49.00

SPECIAL WARRANTY DEED AS JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of TWO HUNDRED FORTY-THREE THOUSAND AND NO/100 ($243,000.00) DOLLARS in hand paid to **Mortgage Guaranty Insurance Corporation** ("Grantor") by **MICHAEL C. HATHORNE and wife, SARAH LYNN HATHORNE** (Grantee), the receipt and sufficiency of which are hereby acknowledged, Grantor does hereby grant, bargain, sell and convey unto **MICHAEL C. HATHORNE and wife, SARAH LYNN HATHORNE, as joint tenants with right of survivorship,** subject to the matters hereinafter set forth in the following described real estate situated in Shelby County, Alabama, to-wit:

Lot 224, according to the Survey of Forest Parks - 2nd Sector, as recorded in Map Book 22, Page 71, in the Probate Office of Shelby County, Alabama.

TO HAVE AND TO HOLD unto the said Grantee, as joint tenants with right of survivorship, their heirs and assigns forever; subject, however to the following:

1. Taxes for the year 2005, and subsequent years;
2. Restrictions as shown by recorded map.
3. Easements as shown by recorded map.
4. Right of Way to Alabama Power Company by instrument recorded in Volume 236, Page 829; Volume 139, Page 127; Volume 133, Page 210; Volume 126, Page 191; Volume 126, Page 192; Volume 1, Page 323 and Volume 124, Page 519, in the Probate Office of Shelby County, Alabama.
5. Restrictions appearing of record in Instrument No. 1997-11561; Instrument No. 1997-25446 and Instrument No. 1997-25449, in the Probate Office of Shelby County, Alabama.
6. Mineral and mining rights and rights incident thereto as recorded in Volume 53, Page 262, in the Probate Office of Shelby County, Alabama.

Further subject to statutory rights of redemption applicable under the laws of the State of Alabama, arising from that certain foreclosure deed as recorded in Instrument No. 20050316000118360, which rights expire on March 16, 2006.

$194,400.00 is being paid by the proceeds of a first mortgage loan executed and recorded simultaneously herewith & $ 0.00 by a second mortgage 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, together with every contingent remainder and right of reversion.

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IN WITNESS WHEREOF, Grantor has caused these presents to be executed on or as of the 30th day of August, 2005.

Mortgage Guaranty Insurance Corporation

By: _____

THOMAS A. DREW

Its: VICE PRESIDENT

STATE OF WISCONSIN ()
COUNTY OF MILWAUKEE ()

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that THOMAS A. DREW, whose name as VP of **Mortgage Guaranty Insurance Corporation,** a corporation, is signed to the foregoing instrument, and who is known to me, acknowledged before me, on this day that, being informed of the contents of such instrument, he/she, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation on the day the same bears date.

Given under my hand and official seal, this the 30 day of August, 2005.

_____
Notary Public
My Commission Expires: 10-15-2006