13371

20051019000544410 1/2 $14.50
Shelby Cnty Judge of Probate,AL
10/19/2005 02:37:00PM FILED/CERT

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was prepared by:

R. Shan Paden
PADEN & PADEN
Attorneys at Law
Five Riverchase Ridge, Suite 100
Birmingham, Alabama 35244

SEND TAX NOTICE TO:

JOHN D. VERNER
1020 GREYSTONE ROAD
BIRMINGHAM, AL 35242

Shelby County, AL 10/19/2005
State of Alabama

Deed Tax:$.50

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 FOUR HUNDRED TEN THOUSAND NINE HUNDRED EIGHTY THREE DOLLARS and 00/100 ($410,983.00) DOLLARS to the undersigned grantor, HPH PROPERTIES, LLC, 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 JOHN D. VERNER and CAROLE M. VERNER, (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 78, according to the Survey of The Parc at Greystone, as recorded in Map Book 32, Page 42 A, B and C, 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. EASEMENTS AND BUILDING LINE AS SHOWN ON RECORDED MAP.

3. TITLE TO ALL MINERALS WITHIN AND UNDERLYING THE PREMISES TOGETHER WITH ALL MINING RIGHTS AND OTHER RIGHTS PRIVILEGES AND IMMUNITIES RELATING THERETO AS RECORDED IN INST. NO. 1993-35661.

4. RIGHT OF WAY GRANTED TO ALABAMA POWER COMPANY RECORDED IN VOLUME 109, PAGE 504, VOLUME 111, PAGE 403 AND INST. NO. 2003-66119.

5. EASEMENT AGREEMENT BY AND BETWEEN DANIEL REALTY COMPANY AND GREYSTONE BRANCH LLC RECORDED UNDER INST. NO. 2002-22977.

6. RESTRICTIONS APPEARING OF RECORD IN REAL 317, PAGE 260 AND INST. NO. 2003-71152.

$328,785.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

$82,195.00 of the consideration herein was derived from a second 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.

IN WITNESS WHEREOF, the said DAVID BONAMY, JR. AS CLOSING MANAGER OF HPH PROPERTIES, LLC, has hereunto subscribed her name on this the 4th day of October, 2005.

HPH PROPERTIES, LLC

DAVID BONAMY, JR., CLOSING MANAGER

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STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that DAVID BONAMY, JR., whose name as CLOSING MANAGER of HPH PROPERTIES, LLC, 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 limited liability company.

Given under my hand this the 4th day of October, 2005.

April N. Dalglish
Notary Public

My commission expires: NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: Mar 17, 2009
BONDED THRU NOTARY PUBLIC UNDERWRITERS