

20051214000647120 1/2 \$64.00  
Shelby Cnty Judge of Probate, AL  
12/14/2005 02:02:17PM 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:

JAMES W. HATHAWAY  
1409 GREYSTONE PARC LANE  
BIRMINGHAM, AL 35242

Shelby County, AL 12/14/2005  
State of Alabama

Deed Tax: \$50.00

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 FIFTY THOUSAND EIGHT HUNDRED EIGHTY DOLLARS and 00/100 (\$450,880.00) 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 JAMES W. HATHAWAY and GEORGIA M. HATHAWAY, (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 70, 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, 2005 WHICH CONSTITUTES A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 2006.
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 AND INST. NO. 2004-35533.
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.

\$290,000.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

\$111,283.00 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 7th day of December, 2005.

HPH PROPERTIES, LLC

DAVID BONAMY, JR. CLOSING MANAGER

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 7th day of December, 2005.

*Paul N. Dalglisk*  
Notary Public

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

My commission expires: \_\_\_\_\_