13918

20060217000079480 1/2 $92.00
Shelby Cnty Judge of Probate, AL
02/17/2006 10:38:01AM 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. SEAY
2408 ARBOR GLENN
BIRMINGHAM, AL 35244

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 THREE HUNDRED EIGHTY EIGHT THOUSAND TWO HUNDRED FORTY THREE DOLLARS and 00/100 ($388,243.00) 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. SEAY and BREANNE SEAY, (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 116, according to the Final Plat of Arbor Hill Phase IV, as recorded in Map Book 35, Page 52, 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 DUE AND PAYABLE UNTIL OCTOBER 1, 2006.

2. EASEMENT(S), BUILDING LINE(S) AND RESTRICTION(S) AS SHOWN ON RECORDED MAP

3. ASSIGNMENT OF DEVELOPERS RIGHTS AS RECORDED IN INST. NO. 2002-30821.

4. RIGHT OF WAY GRANTED TO ALABAMA POWER COMPANY RECORDED IN REAL 65, PAGE 1 AND DEED BOOK 332, PAGE 554.

5. AGREEMENT WITH ALABAMA POWER COMPANY AS TO UNDERGROUND CABLES AS RECORDED IN REAL 69, PAGE 455 AND COVENANTS PERTAINING THERETO AS RECORDED IN REAL 69, PAGE 458.

6. TITLE TO ALL MINERALS WITHIN AND UNDERLYING THE PREMISES, TOGETHER WITH ALL MINING RIGHTS AND OTHER RIGHTS, PRIVILEGES AND IMMUNITIES RELATING THERETO, INCLUDING RELEASE OF DAMAGES.

7. TRANSMISSION LINE PERMITS TO ALABAMA POWER COMPANY AS RECORDED IN DEED BOOK 136, PAGE 34; DEED BOOK 151, PAGE 449; DEED BOOK 136, PAGE

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28 AND DEED BOOK 108, PAGE 363.

8. RIGHT OF WAY GRANTED TO ALABAMA POWER COMPANY RECORDED IN DEED BOOK 332, PAGE 554.

9. RESTRICTIONS AND COVENANTS APPEARING OF RECORD IN INST. NO. 2003-59578.

10. RIGHT OF WAY GRANTED TO ALABAMA POWER COMPANY RECORDED IN INST. NO. 2004-12713.

$310,500.00 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.

IN WITNESS WHEREOF, the said DAVID BONAMY, JR. AS CLOSING MANAGER OF HPH PROPERTIES, LLC, has hereunto subscribed her name on this the 10th day of February, 2006.

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 10th day of February, 2006.

Notary Public

My commission expires: 7-3-08

ELIZABETH L. HENDERSON NOTARY PUBLIC ALABAMA STATE AT LARGE

Shelby County, AL 02/17/2006
State of Alabama

Deed Tax:$78.00