146860

20060728000363510 1/2 $21.50
Shelby Cnty Judge of Probate,AL
07/28/2006 08:18:35AM FILED/CERT

Shelby County, AL 07/28/2006
State of Alabama

Deed Tax:$7.50

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This instrument was prepared by:

R. Shan Paden
PADEN & PADEN, PC
5 Riverchase Ridge, Suite 100
Birmingham, Alabama 35244

SEND TAX NOTICE TO:

JOSHUA D. PENNINGTON
1239 VILLAGE TRAIL
CALERA, AL 35040

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 TWENTY TWO THOUSAND DOLLARS 00/100 ($122,000.00)** to the undersigned grantor, in hand paid by the GRANTEES herein, the receipt of which is hereby acknowledged, the said GRANTOR, **WATERFORD, L.L.C., Limited Liability Company** does by these presents, grant, bargain, sell and convey unto **JOSHUA D. PENNINGTON and HEATHER PENNINGTON**, (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 315, according to the Survey of Final Plat of Waterford Village Sector 5, Phase 2, as recorded in Map Book 36, Page 47, in the Probate Office of Shelby County, Alabama.

SUBJECT TO:

1. TAXES FOR THE YEAR BEGINNING OCTOBER 1, 2005 WHICH CONSTITUTE A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 2006.

2. RIGHT OF WAY TO ALABAMA POWER COMPANY AND SOUTHERN BELL TELEPHONE AND TELEGRAPH COMPANY, AS SET FORTH IN REAL VOLUME 2300, PAGE 867.

3. RIGHT OF WAY TO ALABAMA POWER COMPANY, AS SET FORTH IN VOLUME 2877, PAGE 403, VOLUME 4156, PAGE 394, AND VOLUME 4220, PAGE 9.

4. EASEMENT OF UNDETERMINED WIDTH ON THE FRONT OF SUBJECT PROPERTY, AS SHOWN ON RECORDED MAP.

5. 8-FOOT EASEMENT ON THE NORTH AND SOUTH, AS SHOWN ON RECORDED MAP.

6. A 7.5-FOOT EASEMENT ON THE WEST SIDE, AS SHOWN BY RECORDED MAP.

7. RIGHT OF WAY TO ALABAMA POWER COMPANY, AS SET FORTH IN INST. NO. 2005-56363 AND 2005-56420.

8. RESTRICTIVE COVENANTS, AS SETFORTH IN INSTRUMENT 2005-59712.

9. RIGHT OF WAY TO GULF STATES PAGES CORPORATION, AS RECORDED IN INSTRUMENT 2006/14603.

$114,950.00of 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

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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, **WATERFORD, L.L.C.** , by **MATTHEW S. MOORE** its **CLOSING AGENT**, who is authorized to execute this conveyance, has hereunto set its signature and seal, this the 21st day of July, 2006.

WATERFORD, L.L.C.

MATTHEW S. MOORE
CLOSING AGENT

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that **MATTHEW S. MOORE**, whose name as **CLOSING AGENT** of **WATERFORD, L.L.C.**, a/an **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 21st day of July, 2006.

GEORGE M. VAUGHN
NOTARY
PUBLIC
ALABAMA STATE AT LARGE

Notary Public

My commission expires: 9.29.06