

Send tax notice to: John David Ensminger
1560 Inverness Cove Lane
Birmingham, Al. 35242

This deed was prepared by: Duell Law Firm, LLC
4320 Eagle Point Pkwy
Birmingham, Al. 35242

SPECIAL WARRANTY DEED

STATE OF ALABAMA
SHELBY COUNTY

KNOW ALL MEN BY THESE PRESENTS, this deed made this 15th day of October, 2009 by and between **SouthPoint Bank**, a corporation (herein referred to as Grantor) and **John David Ensminger and Stephanie Ensminger** (herein referred to as Grantees);

WITNESSETH THAT:

The Grantor does hereby for and in consideration of **TWENTY-SEVEN THOUSAND AND NO/100 DOLLARS (\$27,000.00)** in hand paid by the Grantee, the receipt of which is hereby acknowledged, does by these presents, grant, bargain, sell and convey unto the Grantees, as joint tenants with right of survivorship, the following described real estate in SHELBY County, Alabama, to-wit:

Lot 1718, according to the Final Plat Stoneykirk at Ballantrae Phase 5, as recorded in Map Book 38, page 136 in the Probate Office of Shelby County, Alabama.

Subject to: All easements, restrictions and rights of way of record.

All rights of redemption in favor of all persons entitled to redeem the property from that certain mortgage foreclosure sale evidenced by foreclosure deed recorded in Instrument #20090107000005190 and rerecorded in 20090113000011420, under and in accordance with the laws of the State of Alabama or the United States of America, said right of redemption to expire January 7, 2010.

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.

And the Grantor does hereby covenant with Grantee, except as above noted that, at the time of delivery of this deed, the premises were free from all encumbrances made by them and that they shall warrant and defend the same against the lawful claims and demands of all persons claiming, by, through and under them as Grantors herein but not otherwise.

IN WITNESS WHEREOF, the Grantor, by O. David Chunn, Jr. its Vice-President who is authorized to execute this conveyance, has hereunto set its signature and seal, this the ____ day of October, 2009


SOUTHPOINT BANK

BY: 
O. DAVID CHUNN, JR. VICE-PRESIDENT

STATE OF ALABAMA
COUNTY of SHELBY

I, the undersigned, a Notary Public in and for said county in said state, hereby certify that O. DAVID CHUNN, JR. whose name as VICE-PRESIDENT of SouthPoint Bank 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, as such officer, and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this the ____ day of October, 2009.


NOTARY PUBLIC

My commission expires: 5/13/13