

STATE OF ALABAMA

BOOK 188 PAGE 445

Shelby

County

Know All Men By These Presents,

That in consideration of Five Hundred Dollars and other good and valuable considerations ~~to be~~

to the undersigned grantor Richard E. Ballentine and wife, Mary Alice Ballentine

in hand paid by Leonard A. Herrmann and Pearl Daniels Herrmann

the receipt whereof is acknowledged we the said Richard E. Ballentine and wife, Mary Alice Ballentine

do grant, bargain, sell and convey unto the said Leonard A. Herrmann and Pearl Daniels Herrmann

as joint tenants, with right of survivorship, the following described real estate, situated in

Shelby

County, Alabama, to-wit:

Lot 4 of Calmont Subdivision of SW $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 2, Township 24, Range 12 East, Shelby County, Alabama, as shown by map of said subdivision on record in Map Book 4 page 4 in Probate Office of Shelby County, Alabama.

As part of the consideration of the grantors executing this deed, the grantee herein agrees that no dwelling house shall be erected upon the above described land of which the main portion of said house contains less than 1200 square feet. We further agree that this restriction shall be a covenant running with the land and a violation of the same may be enjoined in any Court of competent jurisdiction.

TO HAVE AND TO HOLD Unto the said Leonard A. Herrmann and Pearl Daniels Herrmann

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 grantee does not survive the other, then the heirs and assigns of the grantees herein shall take as tenants in common.

And we do, for ourselves and for our heirs, executors and administrators, covenant with the said grantees, their heirs and assigns, that we are lawfully seized in fee simple of said premises; that they are free from all encumbrances;

that we have a good right to sell and convey the same as aforesaid; that we will, and our heirs, executors and administrators shall warrant and defend the same to the said grantees, their heirs, and assigns forever against the lawful claims of all persons.

In Witness Whereof, we have hereunto set our hands and seals
this day of August, 1957

WITNESSES:



Richard E. Ballentine (Seal.)
Richard E. Ballentine
Mary Alice Ballentine (Seal.)
Mary Alice Ballentine

State of ALABAMA

SHELBY

County

I, *Mary Lee Mahaffey*

, a Notary Public in and for said County, in said State,

hereby certify that Richard E. Ballentine and wife, Mary Alice Ballentine

whose names are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 9th day of August, 1957

Mary Lee Mahaffey As Notary Public

STATE OF ALABAMA, SHELBY COUNTY

I, L.C. Walker, Judge of Probate, hereby certify that the within *deed* was filed for record the 14 day of *Aug* 1957, at *2* o'clock *P.* M. and recorded in *deed* Record 188 Page 445, and the Mortgage Tax of *1.50* Doed Tax of *1.50* has been paid.

L.C. Walker of Probate