

USDA-FHA
FHA-AL-427-4
(9-14-72)

Position 5

This Instrument was Prepared by
WALLACE, ELLIS, HEAD & FOWLER
P. O. Box 587
Columbiana, Alabama 35051

4129
WARRANTY DEED

(For Transfer Cases) - Joint Tenants With Right of Survivorship

STATE OF ALABAMA

COUNTY OF

THIS INDENTURE, made this 8th day of November, 19 77, between

Thomas E. McDonald and wife, Sylvia B. McDonald

of Shelby County, State of Alabama, party(ies) of the first part, and

Paul Byars and wife, Becky Byars

of Shelby County, State of Alabama, parties of the second part;

WITNESSETH: That the said party(ies) of the first part, for and in consideration of the sum of One Dollar (\$1.00) to them in hand paid by the said parties of the second part, and for other good and valuable considerations, the receipt whereof is hereby acknowledged, has (have) granted, bargained, sold and conveyed and by these presents does (do) grant, bargain, sell and convey unto the said parties of the second part, as joint tenants with the right of survivorship, the following

described land, lying and being in the County of Shelby, State of Alabama, to-wit:

Lot No. 7 in Triple Springs Subdivision as shown by map recorded in the Probate Office of Shelby County, Alabama, in Map Book 5, page 34.

Subject to utility easement and building restriction line as shown on map of said subdivision.

Subject to restrictions of Triple Springs Subdivision as recorded in Deed Book 256, page 481, in the Probate Records of Shelby County, Alabama.

The above-described land is subject to the following described mortgage(s):

1. That certain mortgage to the United States of America executed by Roy E. Hamilton and Brenda R.

Hamilton

dated the 9th day of June

19 69, and recorded in Mortgage Book 311, at Page 734, in the Office of the Judge of Probate of

Shelby

County, Alabama

and executed by Roy E. Hamilton and Brenda R. Hamilton, dated the 17th day of October, 1969, and recorded in Mortgage Book 312, page 611, in the Office of the Judge of Probate of Shelby County, Alabama; and executed by Thomas E. McDonald and wife, Sylvia B. McDonald, dated the 18th day of June, 1974, and recorded in Mortgage Book 340 at page 125, Office of Judge of Probate of Shelby County, Alabama.



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Shelby Cnty Judge of Probate, AL
11/09/1977 12:00:00AM FILED/CERT

and the said parties of the second part, by separate agreement executed as of the date hereof, assume liability for and agree to pay, as part of the consideration of this conveyance, all or a certain specified portion of the indebtedness secured by said mortgage(s).
TO HAVE AND TO HOLD to said parties of the second part, for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, and to the heirs and assigns of such survivor, forever, together with every contingent remainder and right of reversion.

And the said party(ies) of the first part does (do) for ourselves and for our heirs, executors, administrators and assigns covenant with the parties of the second part and with the heirs, executors, administrators and assigns of said parties and of the survivor of them that they is (are) lawfully seized in fee simple of said premises; that the premises are free from all encumbrances except as hereinbefore set forth; that they has (have) a good right to sell and convey the same as aforesaid; that they will, and their heirs, executors, administrators and assigns shall warrant and defend the same to the said parties of the second part and to the heirs, executors, administrators and assigns of said parties and of the survivor of them forever, against the lawful claims and demands of all persons.

IN WITNESS WHEREOF, the said party(ies) of the first part has (have) hereunto set our hand(s) and seal(s), the day and year first above written.

Thomas E. McDonald (LS)
Sylvia B. McDonald (LS)

STATE OF ALA. SHELBY CO.
I CERTIFY THIS INSTRUMENT WAS FILED
1977 NOV -9 AM 8:19
Rec. 600
300
Ind 100
1000
JUDGE OF PROBATE

BOOK 308 PAGE 827

STATE OF ALABAMA
COUNTY OF SHELBY

I, the undersigned, a Notary Public in and for said County and State, do hereby certify that Thomas E. McDonald and wife, Sylvia B. McDonald whose name(s) is (are) signed to the foregoing conveyance and who is (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 seal this 8th day of November, 1977.

(SEAL)

Mary D. Thompson
Notary Public

My Commission Expires January 30, 1978

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Shelby Cnty Judge of Probate, AL
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