

WARRANTY DEED

STATE OF ALABAMA
COUNTY OF

SEND TAX NOTICE TO:
Richard K. Capps
118 Cambrian Way
Birmingham, AL 35243

KNOW ALL MEN BY THESE PRESENTS, That in consideration of Ten and No/100--(\$10.00)--Dollars and other valuable considerations

to the undersigned grantor, THE EQUITABLE LIFE ASSURANCE SOCIETY OF THE UNITED STATES, A NEW YORK CORPORATION (herein referred to as GRANTOR), in hand paid by the GRANTEE herein, the receipt of which is hereby acknowledged, the said GRANTOR does by these presents, grant, bargain, sell and convey unto Richard K. Capps and wife, Sharon K. Capps

(herein referred to as GRANTEE) for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, together with every contingent remainder and right of reversion, the following described real estate, situated in the County of and the State of Alabama, to-wit:

Unit 118, in Cambrian Wood Condominium, By Laws and Amendments thereto as established by Declaration of Condominium, By Laws and Amendments thereto as recorded in Misc. Book 12, page 87, in the Probate Office of Shelby County, Alabama, and amended by Misc. Book 13, page 2; Misc. Book 13, page 4 and Misc. Book 13, page 344, in said Probate Office, together with an undivided .0133124% interest in the common elements as set forth in said declaration.

Subject to easements and restrictions of record, if any.

As part of the herein consideration, the grantees agree to assume and pay the unpaid balance of that certain mortgage in favor of United Federal Savings and Loan Association dated February 23, 1979, and recorded in Mortgage Book 388, Page 983; said mortgage was rerecorded in Mortgage 394, Page 348.

Sales price of the property is exactly \$66,900.00 of which \$49,964.58 is represented by the assumption of the hereinabove described mortgage loan.

AND the Grantor covenants and agrees to and with Grantees, that Grantor has not done or suffered to be done anything whereby the above described property is or may be in any manner encumbered or charged, and that the Grantor will WARRANT AND DEFEND the above described property against all persons lawfully claiming or to claim the same by, through or under the Grantor.

TO HAVE AND TO HOLD, To the said GRANTEE 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.

IN WITNESS WHEREOF, THE EQUITABLE LIFE ASSURANCE SOCIETY OF THE UNITED STATES, a corporation, has caused this instrument to be executed by C. W. Hartge, its duly authorized President,

and its corporate seal of said corporation to be hereunto affixed and attested by Alice L. Byrne, Asst. Secretary, this 1st day of June, 1983.

ATTEST: Alice L. Byrne, Assistant Secretary, THE EQUITABLE LIFE ASSURANCE SOCIETY OF THE UNITED STATES, Corporate Name C. W. Hartge, Vice President.

STATE OF NEW YORK, NEW YORK COUNTY, I, Tina Louise Johnson, a Notary Public, in and for said State of NEW YORK, hereby certify that C. W. Hartge and Alice L. Byrne, whose names as Vice President and Asst. Secretary of THE EQUITABLE LIFE ASSURANCE SOCIETY OF THE UNITED STATES, a corporation, 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, as such officers and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand this the 1st day of June, 1983. Tina Louise Johnson, Notary Public, Notary Public, State of New York, Commission Expires March 30, 1984.

FOR RECORDING ONLY
1983 JUN -2 AM 10:03
JUDGE OF PROBATE
PORTERFIELD, SCHOLL, BAINBRIDGE
MIMS & HARPER, P.A.
2 OFFICE PARK CIRCLE
POST OFFICE BOX 7688-A