

1036

SEND TAX NOTICE TO:

(Name) Frank D. Frye and Nina A. Frye
P.O. Box 407
(Address) Calera, Alabama 35040

This instrument was prepared by

(Name) Wallace, Ellis, Head & Fowler
(Address) Columbiana, Alabama 35051

Form 1-1-5 Rev. 5/82

WARRANTY DEED, JOINT TENANTS WITH RIGHT OF SURVIVORSHIP - LAWYERS TITLE INSURANCE CORPORATION, Birmingham, Alabama

STATE OF ALABAMA }
SHELBY COUNTY } KNOW ALL MEN BY THESE PRESENTS.

That in consideration of SEVEN THOUSAND DOLLARS & the assumption of an existing mortgage DOLLARS

to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt whereof is acknowledged, we,

Phillip Ralph Wells, an unmarried man

(herein referred to as grantors) do grant, bargain, sell and convey unto

Frank D. Frye and wife, Nina A. Frye

(herein referred to as GRANTEES) as joint tenants, with right of survivorship, the following described real estate situated in

Shelby

County, Alabama to-wit:

Lots 2 and 3, in Block 9, as per J. H. Dunstan's Survey and Map of Calera, Alabama, and situated in the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 21, Township 22, Range 2 West, situated in Shelby County, Alabama.

Subject to easements and rights of way of record, and subject to existing mortgage to Central State Bank, Calera, Alabama, which is recorded in Mortgage Book 418 at page 44, Office of the Judge of Probate of Shelby County, Alabama, which the grantees assume and agree to pay according to the terms and provisions thereof, without allowing the same to become in default. The grantors warrant that the balance owed on said mortgage on October 21, 1985 was \$31,156.99, plus interest subsequent to said date at the rate of \$11.14 per day.

Subject to Right of way as recorded in Book 0, page 120 in Probate Office of Shelby County, Alabama;

Subject to Agreement of L & N Railroad to Wells and Baer, dated December 21, 1949 recorded in Deed Book 141, page 469 in said Probate Office.

Subject to Permit to American Telephone & Telegraph Company recorded in Deed Book 219, page 564 in said Probate Office.

Subject to mortgaged indebtedness payable to Central State Bank as shown by mortgage recorded in Mortgage Book 418, page 44, Office of Judge of Probate of Shelby County, Alabama.

The above described property constitutes no part of the homestead of grantor or his spouse.

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 I (we) do for myself (ourselves) and for my (our) heirs, executors, and administrators covenant with the said GRANTEES, their heirs and assigns, that I am (we are) lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that I (we) have a good right to sell and convey the same as aforesaid; that I (we) will and my (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, _____ have hereunto set _____ hand(s) and seal(s), this _____

day of December, 19 85

STATE OF ALA. SHELBY CO.
WITNESS I CERTIFY THIS
INSTRUMENT WAS FILED. Deed Tax 7.00
Rec. 250
Ind. 1.50
10.50 (Seal)
1985 DEC 16 AM 10:34
Judge of Probate (Seal)

Phillip Ralph Wells (Seal)
(Phillip Ralph Wells)
(Seal)
(Seal)

STATE OF ALABAMA }
SHELBY COUNTY }

I, the undersigned _____, a Notary Public in and for said County, in said State, hereby certify that Phillip Ralph Wells, an unmarried man whose name 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 _____ executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 9th day of December, A. D., 19 85.

Notary Public