

This form furnished by:

**Cahaba Title, Inc.**

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This instrument was prepared by:

(Name) Daniel R. Farnell, Jr.

(Address) Attorney at Law

P.O. Box 59762, Birmingham, Alabama 35259

3045 Independence Drive, Homewood, Alabama 35209

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Send Tax Notice to:

(Name) David Wilson Mims

(Address) 1824 Portsouth Lane

Alabaster, Alabama 35007

**WARRANTY DEED**

**STATE OF ALABAMA**

Shelby COUNTY } KNOW ALL MEN BY THESE PRESENTS,

That in consideration of Four Thousand Seven Hundred Fifty Dollars (\$ 4,750.00) and the assumption of the mortgage recorded in Real 122, Page 947, Probate Office of Shelby County, Alabama, to the undersigned grantor (whether one or more), in hand paid by the grantees herein, the receipt whereof is acknowledged, I or we, DENNIS EARL FRENNEA and wife TRACY W. FRENNEA

(herein referred to as grantor, whether one or more), grant, bargain, sell and convey unto DAVID WILSON MIMS, a single man,

(herein referred to as grantees, whether one or more), the following described real estate, situated in Shelby County, Alabama, to-wit:

Lot 66, according to the survey of Portsouth, Third Sector, as recorded in Map Book 7 page 110 in the Office of the Judge of Probate of Shelby County, Alabama; being situated in Shelby County, Alabama.

Mineral and mining rights excepted.

Subject to easements, conditions, restrictions, covenants of record, if any.

Grantees herein, as part of the purchase price and consideration for this deed, assume and agree to pay the indebtedness evidenced by that certain mortgage made by Dennis Earl Frennea and wife Tracy W. Frennea to Benchmark Mortgage Corporation, which mortgage is recorded in the Office of the Judge of the Probate Court of Shelby County, Alabama, in mortgage record volume Real 122, page 947. And for the same consideration Grantees herein hereby assume the obligations of Dennis Earl Frennea and wife Tracy W. Frennea, under the terms of the instruments and VA Regulations authorizing, creating, and securing the loan to indemnify the VA to the extent of any claim payment arising from the guaranty or insurance of the indebtedness above mentioned.

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BOOK

TO HAVE AND TO HOLD, To the said GRANTEE, his, her or their heirs and assigns forever.

And I (we) do, for myself (ourselves) and for my (our) heirs, executors and administrators, covenant with said grantee, his, her or 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 stated 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 grantee, his, her or their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, I (we) have hereunto set my (our) hand(s) and seal(s) this 26th day of December, 1987

WITNESS:

Daniel R. Farnell, Jr. (Seal)

Dennis Earl Frennea (Seal)

Carolyn W. Farnell (Seal)

Tracy W. Frennea (Seal)

(Seal)

STATE OF ALA. SHELBY CO. (Seal)

I CERTIFY THIS (Seal)

INSTRUMENT WAS FILED (Seal)

Dec 25 1987 (Seal)

88 JAN 5 PM 1:54 (Seal)

Rec 2.50 (Seal)

1.00 (Seal)

8.50 (Seal)

STATE OF ALABAMA

Jefferson County } General Acknowledgment

I, Daniel R. Farnell, Jr.

in said State, hereby certify that Dennis Earl Frennea and wife Tracy WUDERFRENEA

whose name(s) 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 26th day of December, 1987