

SEND TAX NOTICE TO:

Mr. and Mrs. Phillip R. Upchurch  
4223 Ashington Drive  
Birmingham, AL 35242

This Instrument Prepared By:

Harold H. Goings, Esq.  
Spain, Gillon, Grooms, Blan & Nettles  
2117 Second Avenue North  
Birmingham, Alabama 35203

STATE OF ALABAMA       )  
SHELBY COUNTY           )

KNOW ALL MEN BY THESE PRESENTS, That in consideration of the sum of Two Hundred Thirty Six Thousand and no/100 Dollars (\$236,000.00) to the undersigned Grantors, in hand paid by the Grantees herein, the receipt whereof is acknowledged, Acton Homes, Inc., (herein referred to as Grantor), does grant, bargain, sell and convey unto Phillip R. Upchurch and Karen Upchurch (herein collectively referred to as Grantees), the following described real estate, situated in Shelby County, Alabama, to-wit:

Lot 282, according to the survey of Brook Highland, an Eddleman Community 6th Sector, 2nd Phase, as recorded in Map Book 15, Page 50 A & B in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

Subject to current taxes, easements, restrictions, and limitations, if any, of record.

\$212,400.00 of the purchase price recited above was paid for from the proceeds of a mortgage loan closed simultaneously herewith.

TO HAVE AND TO HOLD, to 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

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other, then the heirs and assigns of the grantees herein shall take as tenants in common.

And Acton Homes, Inc. does for itself and for its successors and assigns, covenant with the said Grantees, their heirs and assigns, that it is lawfully seized in fee simple of said premises; that it is free from all encumbrances, unless otherwise noted above; that it has a good right to sell and convey the same as aforesaid; that it will and its successors and assigns 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, Acton Homes, Inc., by and through Danny Franklin Acton, its President, has hereunto set its hand and seal this the 10<sup>th</sup> day of July, 1992.

ACTON HOMES, INC.

By: Danny F. Acton  
Its President

ATTEST:

By: Danny F. Acton  
Its Secretary

STATE OF ALABAMA     )  
JEFFERSON COUNTY    )

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that DANNY FRANKLIN ACTON and Danny Franklin Acton, whose names as President and Secretary, respectively, of Acton Homes, Inc. 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, in their capacity and with full authority, executed the same voluntarily for and on behalf of said corporation.

Given under my hand and official seal this 10<sup>th</sup> day of July, 1992.

[Signature]  
Notary Public

My Commission Expires: 8-21-95

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SHELBY COUNTY JUDGE OF PROBATE  
002 MCB 33.00