

THIS INSTRUMENT PREPARED BY:  
R. Shan Paden  
Paden & Harris  
100 Concourse Parkway, Ste 130  
Birmingham, Alabama 35244

SEND TAX NOTICE TO:  
Scott M. Simon  
112 Berryhill Circle  
Alabaster, AL 35007

R93-870  
Inst # 1993-30999

STATE OF ALABAMA)

COUNTY OF SHELBY)

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS that in consideration of NINETY-TWO THOUSAND AND NO/100THS (\$92,000.00) DOLLARS to the undersigned GRANTOR (whether one or more), in hand paid by the GRANTEE herein, the receipt whereof is acknowledged, I or we, BRIAN W. DARNALL acting by and through his attorney-in-fact, Cherie G. Darnall, and wife, CHERIE G. DARNALL (herein referred to as GRANTOR, whether one or more), grant, bargain, sell and convey unto SCOTT M. SIMON and KIMBERLY S. SIMON (herein referred to as GRANTEES, whether one or more), as joint tenants with right of survivorship, the following described real estate, situated in SHELBY County, Alabama, to-wit:

Lot 37, according to the survey of Berryhill, 2nd Sector, as recorded in Map Book 14, Page 76 in the Probate Office of Shelby County, Alabama.

SUBJECT TO:

1. Ad valorem taxes for the year 1994; which said taxes are a lien but not due and payable until October 1, 1994.
2. Thirty-five foot building line and five and ten foot easements as shown on recorded plat of said subdivision.
3. Restrictions as set out in Real Volume 347, Page 231.
4. Right of way granted Alabaster Water and Gas Board as recorded in Volume 278, Page 391.

\$91,567.00 of the consideration stated herein was derived from a mortgage loan closed simultaneously herewith.

TO HAVE AND TO HOLD unto the said GRANTEES, as joint tenants

10/07/1993-30999  
08:45 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
003 NJS 14.00

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 all the lawful claims of all persons.

IN WITNESS WHEREOF, I (we) have hereunto set my (our) hand(s) and seal(s) this 28<sup>th</sup> day of September, 1993.

*Brian W. Darnall, acting by and through  
his attorney-in-fact, Cherie G. Darnall*

BRIAN W. DARNALL, acting by and  
through his attorney-in-fact,  
Cherie G. Darnall

*Cherie G. Darnall*  
\_\_\_\_\_  
CHERIE G. DARNALL

STATE OF ALABAMA)  
COUNTY OF SHELBY)

I, the undersigned, a Notary Public in and for said state and county, hereby certify that CHERIE G. DARNALL, whose name as attorney in fact for Brian W. Darnall, 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, she with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and seal of office this 28<sup>th</sup> day of September, 1993.

  
\_\_\_\_\_  
Notary Public

My commission expires: 7/16/94

STATE OF ALABAMA)  
COUNTY OF SHELBY)

I, the undersigned, a Notary Public, in and for said county in said state, hereby certify that CHERIE G. DARNALL, 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, she executed the same voluntarily on the day the same bears date.

Given under my hand and seal of office this 28<sup>th</sup> day of September, 1993.

  
\_\_\_\_\_  
Notary Public

My commission expires: 7/16/94

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