

Inst # 1994-22142

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was  
prepared by:

SEND TAX NOTICE TO:

R. Shan Paden  
PADEN & PADEN  
Attorneys at Law  
100 Concourse Parkway, Suite 130  
Birmingham, Alabama 35244

JAMES B. JOHNSON  
150 ASHFORD WAY  
ALABASTER, AL 35007

STATE OF ALABAMA)

COUNTY OF SHELBY)

JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

WARRANTY DEED

Know All Men by These Presents: That in consideration of ONE HUNDRED SIXTEEN THOUSAND NINE HUNDRED DOLLARS and 00/100 (\$116,900.00) DOLLARS to the undersigned grantor, WAYNE DUTTON CONSTRUCTION, INC. in hand paid by the GRANTEES herein, the receipt of which is hereby acknowledged, the said GRANTOR, does by these presents, grant, bargain, sell and convey unto JAMES B. JOHNSON and CORA E. JOHNSON, HUSBAND AND WIFE, (herein referred to as GRANTEES, as joint tenants, with right of survivorship, whether one or more) the following described real estate, situated in SHELBY County, Alabama, to-wit:

LOT 42, ACCORDING TO THE SURVEY OF CAMBRIDGE POINTE, 2ND SECTOR, AS RECORDED IN MAP BOOK 17, PAGE 99 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

SUBJECT TO:

1. Subject to the taxes for the year beginning October 1, 1993 which constitutes a lien but are due and payable until October 1, 1994.
2. Building setback line of 20 feet reserved from Ashford Way as shown by plat.
3. Restrictions, covenants and conditions as set out in instrument(s) recorded as Instrument #1993-28814 and Instrument #1994-16789 in Probate Office.
4. Easement(s) to Southern Natural Gas as shown by instrument recorded in Deed 99, page 480 in Probate Office.
5. Easement(s) to City of Alabaster as shown by instrument recorded in Deed 282, page 500 in Probate Office.
6. Agreement with Alabama Power Company as to covenants pertaining thereto, recorded as Instrument #1994-1197 in Probate Office.
7. Easement(s) to Plantation Pipeline as shown by instrument recorded in Deed 212 pages 621 and 627; Deed 213 pages 128, 130, 132 and 134 and Deed 217 page 247 in Probate Office.

\$111,050.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

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

07/15/1994-22142  
08:21 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 MCD 17.00

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 said GRANTOR does for itself, its successors and assigns, covenant with the said GRANTEES, his, her, or their heirs and assigns, that it is lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that it has a good right to sell and convey the same as aforesaid, and that it will and its successors and assigns shall warrant and defend the same to the said GRANTEES, his, her, or their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said GRANTOR, WAYNE DUTTON CONSTRUCTION, INC., AN ALABAMA CORPORATION, by its PRESIDENT, WAYNE DUTTON who is authorized to execute this conveyance, has hereunto set its signature and seal, this the 7th day of July, 1994.

WAYNE DUTTON CONSTRUCTION, INC.

By: Wayne Dutton  
WAYNE DUTTON, PRESIDENT

STATE OF ALABAMA)  
COUNTY OF SHELBY)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that WAYNE DUTTON, whose name as PRESIDENT of WAYNE DUTTON CONSTRUCTION, INC., a corporation, 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 or she, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand this the 7<sup>th</sup> day of JULY, 1994.

[Signature]  
Notary Public

My commission expires: 2/17/95 # 1994-22142

07/15/1994-22142  
08:21 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 MCD 17.00