

294-1506

Inst # 1994-24304

(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

BRUCE BYLSMA  
409 WITTEL AVE.  
OPELIKA, AL 36801

08/03/1994-24304  
02:58 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
003 MCD 23.50

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 TWENTY FOUR THOUSAND DOLLARS and 00/100 (\$124,000.00) DOLLARS to the undersigned grantor, KENNETH CARTER, a married man, D/B/A CARTER HOMES AND DEVELOPMENT AND CARTER HOMES & DEVELOPMENT, 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 BRUCE BYLSMA and PATRICIA W. BYLSMA, 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 10-A, ACCORDING TO THE RESURVEY OF LOTS 10 AND 11 OF PARK FOREST, SECTOR FIVE AS RECORDED IN MAP BOOK 18 PAGE 107 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 not due and payable until October 1, 1994.
2. Building setback line of 35 feet reserved from Dogwood Trail as shown by plat.
3. Restrictions, covenants and conditions as set out in instrument(s) recorded as Instrument #1993-29538 in Probate Office.
4. Transmission Line Permit(s) to Alabama Power Company as shown by instrument(s) recorded in Deed 121 page 191 and Deed 154 page 423 in Probate Office.
5. Agreement with Alabama Power Company as to covenants, recorded as Instrument #1994-1195 in Probate Office.
6. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto, including rights set out in Deed 122 page 333 and Deed 325 page 546 in Probate Office.

\$115,000.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

Kenneth Carter d/b/a Carter Homes and Development has joined in the execution of this deed individually because when the

080803/1994-24304  
SHELBY COUNTY JUDGE OF PROBATE  
003 MCD 23.50

property described herein was conveyed to Carter Homes and Development in the deed from Roy Martin Construction, Inc., the Scrivener that prepared the Deed failed to show the Grantee as Carter Homes and Development, Inc.

**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 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, CARTER HOMES & DEVELOPMENT, INC., by its PRESIDENT, KENNETH CARTER who is authorized to execute this conveyance, has hereunto set its signature and seal, this the 1st day of August, 1994.

CARTER HOMES & DEVELOPMENT, INC.

By:   
KENNETH CARTER, PRESIDENT

CARTER HOMES & DEVELOPMENT

  
KENNETH CARTER

STATE OF ALABAMA)  
COUNTY OF SHELBY)

#### ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that KENNETH CARTER, whose name as PRESIDENT of CARTER HOMES & DEVELOPMENT, 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 1ST day of AUGUST, 1994.

  
Notary Public

My commission expires: 7/16/98

STATE OF ALABAMA)  
COUNTY OF SHELBY)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that Kenneth Carter, 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 this the 1ST day of AUGUST, 1994

  
\_\_\_\_\_  
NOTARY PUBLIC

MY COMMISSION EXPIRES: 7/16/98

Inst # 1994-24304

08/03/1994-24304  
02:58 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
003 MCD 23.50