

WARRANTY DEED with JOINT SURVIVORSHIP

This Instrument Was Prepared By:

SEND TAX NOTICE TO:

Frank K. Bynum, Esquire  
#17 Office Park Circle  
Birmingham, Alabama 35223

Mark A. Davenport  
918 5th Court NW  
Alabaster, AL 35007

STATE OF ALABAMA )

KNOW ALL MEN BY THESE PRESENTS,

COUNTY OF SHELBY )

That in consideration of NINETY SEVEN THOUSAND FIVE HUNDRED AND NO/100 DOLLARS (\$ 97,500.00), to the undersigned grantors in hand paid by the Grantees herein, the receipt of which is hereby acknowledged, **EUGENE E. LINTON, JR. AND WIFE, VILLETA M. LINTON** (herein referred to as Grantors) do grant, bargain, sell and convey unto **MARK A. DAVENPORT AND KIM L. DAVENPORT** (herein referred to as Grantees), as joint tenants, with right of survivorship, the following described real estate, situated in the State of Alabama, County of SHELBY, to-wit:

Lot 31, according to the Map and Survey of Hamlet, 5th Sector, as recorded in Map Book 9, page 70, in the Probate Office of Shelby County, Alabama.

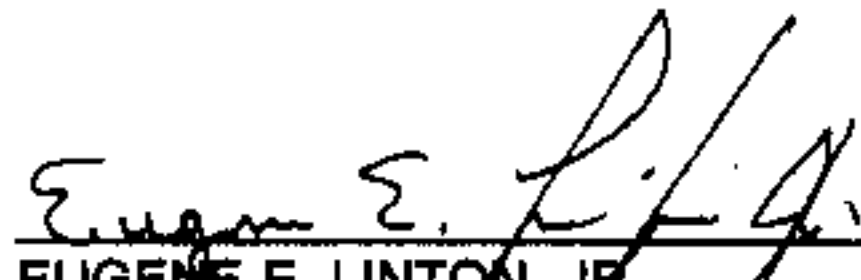

Subject to existing easements, restrictions, set back lines, rights of ways, limitations, if any, of record.

\$92,625.00 of the purchase price recited above was paid from a mortgage loan 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 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 we do for ourselves and for our heirs, executors, and administrators covenant with said Grantees, their heirs and assigns, that we are lawfully seized in fee simple of said premises, that they are free from all encumbrances, unless otherwise noted above; that we have a good right to sell and convey the same as aforesaid; that we will and my heirs, executors and administrators shall, warrant and defend the same to the said Grantees, their heirs, and assigned forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, we have hereunto set our hands and seal, this 21st day of November, 1994.

  
EUGENE E. LINTON, JR.  
  
VILLETA M. LINTON

STATE OF ALABAMA )  
COUNTY OF JEFFERSON )

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that **EUGENE E. LINTON, JR. AND WIFE, VILLETA M. LINTON**, whose names 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 the 21st day of November, 1994.

My Commission Expires: 11/20/96

  
Notary Public

zdaven

Inst # 1994-34915

11/28/1994-34915  
08:54 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
001 MCD 13.00

Inst # 1994-34915