

R94-1653

(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

Inst # 1994-37756
JOHN B. SMITH, JR.
120 KINGSLEY ROAD
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 TWO HUNDRED TWENTY FOUR THOUSAND FOUR HUNDRED EIGHTY THREE and 00/100 (\$224,483.00) DOLLARS to the undersigned grantor, DAN TUCK HOMES, 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 JOHN B. SMITH, JR. and WANDA L. SMITH, 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 37, BLOCK 2, ACCORDING TO THE SURVEY OF NORWICK FOREST THIRD SECTOR - FIRST PHASE, AS RECORDED IN MAP BOOK 18, PAGE 15, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

SUBJECT TO:

1. Subject to the taxes for the year beginning October 1, 1994 which constitutes a lien but are not yet due and payable October 1, 1995.
2. 35 foot building line as shown by recorded Map.
3. 5 foot Easement of Rear, as shown by recorded Map.
4. Restrictions appearing of record in Instrument #1994-3062, in the Probate Office of Shelby County, Alabama.
5. Right of Way to Alabama Power Company and Southern Bell Telephone and Telegraph Company recorded in Real 224, Page 583, in the Probate Office of Shelby County, Alabama.
6. Right of Way to Alabaster Gas Board, recorded in Real 124, Page 255, in the Probate Office of Shelby County, Alabama.
7. Mineral and mining rights and rights incident thereto recorded in Volume 337, Page 885, in the Probate Office of Shelby County, Alabama.

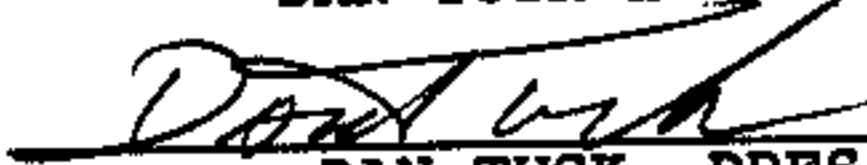
\$100,000.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

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 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 GRANTEEES, 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 GRANTEEES, his, her, or their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said GRANTOR, DAN TUCK HOMES, INC., A CORPORATION, by its PRESIDENT, DAN TUCK who is authorized to execute this conveyance, has hereunto set its signature and seal, this the 27th day of December, 1994.

DAN TUCK HOMES, INC.

By: 
DAN TUCK, 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 DAN TUCK, whose name as PRESIDENT of DAN TUCK HOMES, 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 27 day of December, 1994.


Notary Public

My commission expires: 2/17/94

Inst # 1994-37756

12/29/1994-37756
04:00 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 SNA 135.50