

## (RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was  
prepared by:

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

SEND TAX NOTICE TO:

SEAN STEVEN WHILDEN  
216 FOREST HILLS CIRCLE  
ALABASTER, AL 35007

Inst # 1995-11561

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 NINE HUNDRED DOLLARS and 00/100 (\$124,900.00) DOLLARS to the undersigned grantor, DOUG BLACK 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 SEAN STEVEN WHILDEN, and wife, ELLEN ALEXANDER WHILDEN, (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 9, ACCORDING TO FOREST HILLS, 1ST SECTOR, AS RECORDED IN MAP BOOK 19, PAGE 46 A & B, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA; BEING SITUATED IN SHELBY COUNTY, ALABAMA.

**SUBJECT TO:**

1. Ad valorem taxes for the tax year 1995, which constitute a lien, but are not due and payable until October 1, 1995.
2. Building set back line of 35 feet reserved in Forest Hills Circle and road as shown by plat.
3. Public easements as shown by recorded plat.
4. Restrictions, covenants and conditions as set out in instruments recorded in Deed 318, page 1; Deed 318, page 531 and as Instrument #1994-36372 in Probate Office.
5. Easement(s) to Alabama Power Company as shown by instrument recorded in Real 148, Page 895 in Probate Office.
6. Easement(s) to South Central Bell as shown by instrument recorded in Real 149, Page 188 in Probate Office.
7. Restrictions, limitations and conditions as set out in Map Book 19, Page 46 A & B.

**LESS AND EXCEPT THE FOLLOWING:**

1. 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 355, page 136 and Real 7, Page 887 in Probate Office.

\$118,655.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

05/03/1995-11561  
02:04 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 MCD 17.50

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, DOUG BLACK CONSTRUCTION, INC., by its PRESIDENT, DOUG BLACK who is authorized to execute this conveyance, has hereunto set its signature and seal, this the 28th day of April, 1995.

DOUG BLACK CONSTRUCTION, INC.

By Doug Black  
DOUG BLACK, 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 DOUG BLACK, whose name as PRESIDENT of DOUG BLACK 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 28 day of April, 1995.

Ruth P. C.  
Notary Public

Notary Public # 1995-11561

My commission expires: 7/16/98

05/03/1995-11561  
02:04 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 MCD 17.50