

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was
prepared by:

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PADEN & PADEN
Attorneys at Law
100 Concourse Parkway, Suite 130
Birmingham, Alabama 35244

SEND TAX NOTICE TO:

CHARLES E. CLEVELAND
1109 HENRY DRIVE
ALABASTER, AL 3500

Inst # 4990-11576

05/03/1995-11576

02:35 PM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE

55.00

STATE OF ALABAMA)

COUNTY OF SHELBY)

JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

WARRANTY DEED

Know All Men by These Presents: That in consideration of NINETY FIVE THOUSAND and 00/100 (\$95,000.00) DOLLARS to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, CLYDE M. NIX and DONNA J. NIX, HUSBAND AND WIFE (herein referred to as GRANTORS) do grant, bargain, sell and convey unto CHARLES E. CLEVELAND and LOIS S. CLEVELAND, 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 5, ACCORDING TO THE SURVEY OF SCOTTSDALE, SECOND ADDITION, AS RECORDED IN MAP BOOK 7, PAGE 118 IN THE OFFICE OF THE JUDGE OF PROBATE OF SHELBY COUNTY, ALABAMA.

SUBJECT TO:

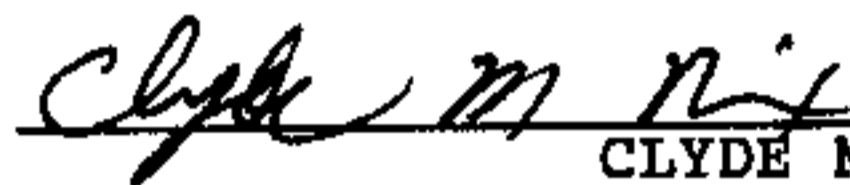
1. Subject to the taxes for the year beginning October 1, 1994 which constitutes a lien but are not yet due and payable until October 1, 1995.
2. Building setback line of 35 feet reserved from Henry Drive as shown by plat.
3. Public easements as shown by recorded plat, including 5 feet on the Westerly and 10 feet on the Northerly side of lot.
4. Restrictions, covenants and conditions as set out instrument(s) recorded in Misc. Book 29 page 229 in Probate Office.
5. Transmission Line Permit(s) to Deed 320 page 891 as shown by instrument(s) recorded in Probate Office.
6. Transmission Line Permit(s) to Alabama Power Company as shown by instrument(s) recorded in Deed 320 page 891 in Probate Office.
7. Easement(s) to Alabama Power Company and South Central Bell as shown by instrument recorded in Deed 318 page 4 in Probate Office.
8. Restrictions, limitations and conditions as set in out Map Book 7 page 118.

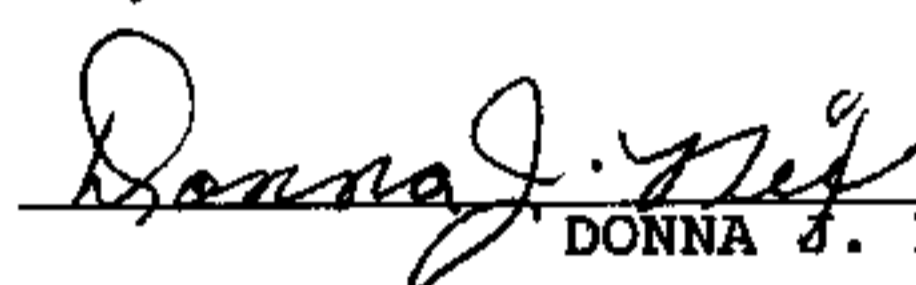
\$50,000.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

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 I (we) do for myself (ourselves) and for my (our) heirs, executors, and administrators covenant with the said GRANTEES, his, her, or their heirs and assigns, that I am (we are) lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that I (we) have a good right to sell and convey the same as aforesaid; that I (we) will and my (our) heirs, executors and administrators 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 GRANTORS, CLYDE M. NIX and DONNA J. NIX, HUSBAND AND WIFE, have hereunto set his, her or their signature(s) and seal(s), this the 12th day of April, 1995.


CLYDE M. NIX


DONNA J. NIX

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that CLYDE M. NIX and DONNA J. NIX, HUSBAND AND WIFE, whose name(s) is (are) signed to the foregoing conveyance, and who is (are) known to me, acknowledged before me on this day that, being informed of the contents of the conveyance he, she, or they executed the same voluntarily on the day the same bears date.

Given under my hand this the 12th day of April, 1995.


Notary Public

My commission expires: 7/16/98

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