

95-1781

06/29/1995-17106
02:46 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 SNA

Inst # 1995-17106

(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:

LEE R. MACOMB
5391 PINEYWOOD RD.
BIRMINGHAM, AL 35242

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 EIGHTY EIGHT THOUSAND TWO HUNDRED FORTY and 00/100 (\$188,240.00) 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 LEE R. MACOMB and PATRICIA L. MACOMB, 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 A RESURVEY OF G.S. CROSS ESTATE, RECORDED IN MAP BOOK 5, PAGE 28, 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 until October 1, 1995.
2. 35 foot building line on East and West, as shown by recorded map.
3. Restrictions appearing of record in Volume 242, page 100, in the Probate Office of Shelby County, Alabama.
4. Right of Way granted to Alabama Power Company by instrument recorded in Volume 231, page 252; Volume 243, page 403 and Volume 249, page 889, in the Probate Office of Shelby County, Alabama.
5. Right of Way to Southern Bell Telephone and Telegraph Company, recorded in Volume 326, page 578, in the Probate Office of Shelby County, Alabama.

\$120,000.00 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.

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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, DAN TUCK HOMES, INC., by its PRESIDENT, DAN TUCK who is authorized to execute this conveyance, has hereunto set its signature and seal, this the 22nd day of June, 1995.

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 22 day of June, 1995.


Notary Public

My commission expires:

7/14/98

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