

09/07/1995-24800  
01:41 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 MCD 34.50

(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:

DAVID M. WARD, SR.  
133 EMERALD LAKE DRIVE  
PELHAM, AL 35124

Inst # 1995-24800

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 THIRTY FIVE THOUSAND And 00/100 (\$235,000.00) DOLLARS to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, DAN TUCK D/B/A DAN TUCK HOMES (herein referred to as GRANTORS) do grant, bargain, sell and convey unto DAVID M. WARD, SR. and REBECCA E. WARD, 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 21, ACCORDING TO THE CORRECTION MAP OF LOT 21 OF THE AMENDED PLAT OF EMERALD LAKE PLAT NO. 1, AS RECORDED IN MAP BOOK 20 PAGE 46 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. Building setback line of 50 feet reserved from Emerald Lake Drive as shown by plat.
3. Public easement as shown by recorded plat, including the a 10 foot easement within building setback line.
4. Restrictions, covenants and conditions as set out in instrument(s) recorded in Instrument #1994-36305 in Probate Office.
5. Transmission Line Permit(s) to Alabama Power Company as shown by instrument(s) recorded in Deed Book 230 page 101 and Deed Book 228 page 195 in Probate Office.
6. Easement(s) for access as shown by instrument recorded in Deed Book 310 page 236 in Probate Office.
7. Declaration of Protective Covenants of Emerald Lake and Dam as recorded as Instrument #1994-36306 in Probate Office.

\$211,500.00 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, DAN TUCK D/B/A DAN TUCK HOMES, have hereunto set his, her or their signature(s) and seal(s), this the 25th day of August, 1995.

  
DAN TUCK D/B/A DAN TUCK HOMES

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 D/B/A DAN TUCK HOMES, 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 25th day of August, 1995.

  
Notary Public

My commission expires: 2/12/96

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