

95-1778

THIS IS A DEED OF CORRECTION BEING NECESSARY TO AND GIVEN FOR THE PURPOSE OF CORRECTING THE LEGAL DESCRIPTION IN THAT CERTAIN WARRANTY DEED DATED JUNE 9, 1995, AND FILED FOR RECORD IN INSTRUMENT #1995-15678 IN THE OFFICE OF THE JUDGE OF PROBATE OF SHELBY COUNTY, ALABAMA.

(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:

JAMES R. MCNALLY  
1129 INDEPENDENCE DRIVE  
ALABASTER, AL 35007

STATE OF ALABAMA)

COUNTY OF SHELBY)

JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

CORRECTIVE WARRANTY DEED

Know All Men by These Presents: That in consideration of ONE HUNDRED FIFTEEN THOUSAND and 00/100 (\$115,000.00) DOLLARS to the undersigned grantor or grantors in hand paid by the GRANTEEES herein, the receipt of which is acknowledged, we, GERALD D. HARRIS and DOROTHY L. HARRIS, HUSBAND AND WIFE (herein referred to as GRANTORS) do grant, bargain, sell and convey unto JAMES R. MCNALLY and GLENDA P. MCNALLY, HUSBAND AND WIFE, (herein referred to as GRANTEEES, as joint tenants, with right of survivorship, whether one or more) the following described real estate, situated in SHELBY County, Alabama, to-wit:

LOT 71, ACCORDING TO THE SURVEY OF AUTUMN RIDGE, AS RECORDED IN MAP BOOK 12, PAGES 4, 5, AND 6, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

MINERAL AND MINING RIGHTS EXCEPTED.

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. 7.5 foot easement over the rear lot line of said parcel for public utilities, sanitary sewers, storm sewers, storm ditches as shown on recorded map.
3. 35 foot building restriction line from Independence Drive as shown on recorded map.
4. Restrictions appearing on record in Book 174, page 504.
5. Easement and right of way granted Alabama Power Company and South Central Bell Telephone Company recorded in Book 220, page 455.
6. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto as recorded in Book 150, page 648 and Book 305, page 408.
7. Right of way granted Colonial Pipeline Company recorded in Volume 223, page 437 and Volume 267, page 834.

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8. Right of way granted Southern Natural Gas recorded in Deed Book 90, page 29 and Deed Book 90, page 279.
9. Right of way granted Alabama Power Company recorded in Book 220, page 453.

\$103,500.00 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, GERALD D. HARRIS and DOROTHY L. HARRIS, HUSBAND AND WIFE, have hereunto set his, her or their signature(s) and seal(s), this the 29<sup>th</sup> day of AUGUST, 1995.

Gerald D. Harris  
GERALD D. HARRIS

Dorothy L. Harris  
DOROTHY L. HARRIS

STATE OF ARIZONA  
COUNTY OF MARICOPA

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that GERALD D. HARRIS and DOROTHY L. HARRIS, 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 29 day of AUGUST, 1995.

Helen L. Bohance  
Notary Public

My commission expires: 2/22/98

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