

Send Tax Notice to:
Phillip R. Upchurch
Karen W. Upchurch
117 Lenox Road
Birmingham, AL 35242

This Instrument Prepared By:

Harold H. Goings
Spain & Gillon
2117 Second Avenue North
Birmingham, Alabama 35203

WARRANTY DEED

STATE OF ALABAMA

SHELBY COUNTY

KNOW ALL MEN BY THESE PRESENTS, That in consideration of the sum of ONE HUNDRED FIFTY NINE THOUSAND AND 00/100 DOLLARS (\$159,000.00) to the undersigned Grantor, in hand paid by the Grantees herein, the receipt whereof is acknowledged, the undersigned, **REGENCY DEVELOPMENT, INC.** (herein referred to as Grantor), does grant, bargain, sell and convey unto **PHILLIP R. UPCHURCH AND KAREN W. UPCHURCH** (herein referred to as Grantees), the following described real estate, situated in Shelby County, Alabama, to-wit:

Lot 30, according to the Survey of Lenox Place Phase One, as recorded in Map Book 19, Page 44, in the Probate Office of Shelby County, Alabama.

Subject to:

1. 1995 ad valorem taxes.
2. Existing easements restrictions, set back lines, limitations, if any, of record.

\$127,200.00 of the consideration was paid from the proceeds of a mortgage loan closed simultaneously herewith.

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SHELBY COUNTY JUDGE OF PROBATE
003 MCD 45.50

Inst # 1995-26330

TO HAVE AND TO HOLD, to 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 tenance 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 the undersigned does for itself and for its successors, and assigns covenant with the said Grantees, their heirs and assigns, that it is lawfully seized in fee simple of said premises; that it is free from all encumbrances, unless otherwise noted above; that it has a good right to sell and convey the same as aforesaid; that it will and its successors and assigns shall warrant and defend the same to the said Grantees, their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the undersigned has hereunto set its hand and seal this the 19th day of September, 1995.

REGENCY DEVELOPMENT, INC.

By: Charles G. Arcara
Charles G. Arcara
Its: Vice President

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Charles G. Arcara, whose name as Vice President of REGENCY DEVELOPMENT, INC. 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 as such officer and with full authority, executed the same voluntarily and as the act of said corporation.

Given under my hand and official seal this 19th day of September, 1995.



Notary Public
My Commission Expires: 8/19/99

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