

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was
prepared by:

SEND TAX NOTICE TO:

BROWN-TURNER, L.L.C.
Attorneys at Law
211 22nd Street North
Birmingham, Alabama 35203

JEFFERY G. GIBSON
6008 EAGLE POINT CIRCLE
BIRMINGHAM, ALABAMA 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 TWO HUNDRED THIRTY SEVEN THOUSAND and 00/100 (\$237,000.00) DOLLARS to the undersigned grantor, **DON MARTIN CONSTRUCTION COMPANY, 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 **JEFFERY G. GIBSON and JILL E. GIBSON, 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 311, ACCORDING TO THE SURVEY OF EAGLE POINT, 3RD SECTOR, PHASE 2, AS RECORDED IN MAP BOOK 18, PAGE 34, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA; BEING SITUATED IN SHELBY COUNTY, ALABAMA. MINERAL AND MINING RIGHTS EXCEPTED.

SUBJECT TO:

1. Subject to the taxes for the year beginning October 1, 1995, which constitutes a lien, but are not yet due and payable until October 1, 1996.
2. Building setback line of 35 feet reserved from Eagle Point Circle as shown by plat.
3. Restrictions, covenants and conditions as set out in instrument(s) recorded in Deed 206, page 448 and Instrument #1994-21054 in Probate Office.
4. Transmission Line Permit(s) to Alabama Power Company as shown by instrument(s) recorded in Deed 111 page 408 in Probate Office.
5. title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto, including rights set out in Deed 331 page 262 in Probate Office.
6. Covenant releasing predecessor in title from any liability arising from sinkholes, limestone formations, soil conditions or any other known or unknown surface or subsurface conditions that may now or hereafter exist or occur or cause damage to subject property, as shown by instrument recorded in Map Book 18 page 34 in Probate Office.
7. Release of damages as set out in instrument recorded in Instrument #1993-24184 in Probate Office.
8. Declaration of easement as set out as Instrument #1993-24183 in Probate Office.
9. Restrictions, covenants and conditions as set out in instrument(s) recorded in Map Book 18, page 34 in Probate Office.

\$189,000.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

10/13/1995-29177
10:58 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 MCD 58.50

Inst # 1995-29177

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 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, DON MARTIN CONSTRUCTION COMPANY, INC., by its **PRESIDENT**, DON MARTIN who is authorized to execute this conveyance, has hereunto set its signature and seal, this the 11th day of October, 1995.

DON MARTIN CONSTRUCTION COMPANY, INC.

By: 
DON MARTIN, PRESIDENT

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that DON MARTIN, whose name as **PRESIDENT** of DON MARTIN CONSTRUCTION COMPANY, 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 11th day of October, 1995.


Notary Public

My commission expires: **MY COMMISSION EXPIRES:**
MAY 24, 1998

1995-29177

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