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(RECORDING INFORMATION ONLY ABOVE THIS LINE)

Inst # 1995-32389

This Instrument was
prepared by:

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PADEN & PADEN
Attorneys at Law
100 Concourse Parkway, Suite 130
Birmingham, Alabama 35244

SEND TAX NOTICE TO:

ROBERT J. MOELLER
4916 MOUNTAIN VIEW PKWY
BIRMINGHAM, AL 35244

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 TWENTY THREE THOUSAND and 00/100 (\$123,000.00) DOLLARS to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, DENT M. MORTON and KIMBERLY C. MORTON, HUSBAND AND WIFE (herein referred to as GRANTORS) do grant, bargain, sell and convey unto ROBERT J. MOELLER and MARY JO MOELLER, 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 11, ACCORDING TO THE SURVEY OF CHANDA TERRACE, FOURTH SECTOR, AS RECORDED IN MAP BOOK 12, PAGE 99, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

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. 10 foot easement on Northern side.
3. Protective Covenants as recorded in Real Book 209, Page 261.
4. Restrictive Covenants in favor of Alabama Power Company in Real Book 250, page 501.
5. Right of Way to Alabama Power Company as recorded in Real 230, Page 783.

\$98,400.00 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,

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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 GRANTEEES, his, her, or their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said GRANTORS, DENT M. MORTON and KIMBERLY C. MORTON, HUSBAND AND WIFE, have hereunto set his, her or their signature(s) and seal(s), this the 26th day of October, 1995.

Dent M. Morton
DENT M. MORTON

Kimberly C. Morton
KIMBERLY C. MORTON

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that DENT M. MORTON and KIMBERLY C. MORTON, 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 26th day of October, 1995.

Robert S. Paul
Notary Public

My commission expires: 7/16/98

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