

95-2009

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was prepared by:

SEND TAX NOTICE TO:

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DENT M. MORTON
2598 WILLOWBROOK CIRCLE
BIRMINGHAM, AL 35242

STATE OF ALABAMA)

COUNTY OF SHELBY)

Inst # 1995-33431

JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

WARRANTY DEED

Know All Men by These Presents: That in consideration of TWO HUNDRED EIGHTY SEVEN THOUSAND and 00/100 (\$287,000.00) DOLLARS to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, LISA M. MCCLUNG, A SINGLE PERSON (herein referred to as GRANTORS) do grant, bargain, sell and convey unto DENT M. MORTON and KIMBERLY CONINE MORTON, 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 31, ACCORDING TO THE SURVEY OF WILLOWBROOK, AS RECORDED IN MAP BOOK 11, PAGE 48 A & B, IN THE OFFICE OF THE JUDGE OF PROBATE OF SHELBY COUNTY, ALABAMA; BEING SITUATED IN 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. A thirty-five foot building set back line from Willowbrook Circle and on Western and Southern sides of subject property.
3. A seven and one-half foot public utility easement on the eastern side of subject property as shown by recorded plat.
4. Restrictions per recorded Plat Book 11, Page 48 A & B.
5. Excepting therefrom title to all minerals of every kind and character, within and underlying the premises, together with mining rights and other rights, privileges and immunities relating thereto, as recorded in Real Book 130, Page 936, in said Probate Office.
6. Release of damages as recorded in Real Book 194, Page 574.
7. Restrictive covenants in favor of Ala. Power Co. as recorded in Real Book 153, Page 596.
8. Underground agreement with Ala. Power Co. as recorded in Real Book 153, Page 604.
9. Right of way to Ala. Power Co. as recorded in Real Book 114, Page 144.
10. Restrictions as recorded in Real Book 148, Page 366.

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\$187,000.00 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, LISA M. MCCLUNG, A SINGLE PERSON, have hereunto set his, her or their signature(s) and seal(s), this the 8th day of November, 1995.


LISA M. MCCLUNG

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that LISA M. MCCLUNG, A SINGLE PERSON, 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 8th day of November, 1995.


Notary Public

My commission expires: 7/16/98

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