

This instrument prepared by:
John N. Randolph, Attorney
Strote & Permutt P.C.
2222 Arlington Avenue
Birmingham, Alabama 35205

Send Tax Notice to:
Sam W. Bennett
Susan E. Bennett
1200 Country Club Circle
Birmingham, AL 35244

WARRANTY DEED, Joint Tenants with Right of Survivorship

State of Alabama

KNOW ALL MEN BY THESE PRESENTS,

Shelby County

That in consideration of Two Hundred and Seventy Thousand and no/100's Dollars to the undersigned grantor in hand paid by the GRANTEES herein, the receipt whereof is acknowledged, We, Laurence W. Church, married, and John Church (herein referred to as Grantor) do grant, bargain, sell and convey unto Sam W. Bennett and Susan E. Bennett (herein referred to as Grantees) as joint tenants with right of survivorship, the following described real estate situated in Shelby County, Alabama, to-wit:

Parcel I:

Lot 42, according to the Survey of Third Addition Riverchase Country Club Residential Subdivision, as recorded in Map Book 7, page 53, in the Probate Office of Shelby County, Alabama.

Parcel II:

Lot 41, according to the Survey of Third Addition Riverchase Country Club Residential Subdivision, as recorded in Map Book 7, page 53, in the Probate Office of Shelby County, Alabama.

Subject to:

1. Ad valorem taxes for the current tax year which grantees herein assume and agree to pay.
2. Restrictions as shown by recorded Map.
3. 10 foot easement on northeast and northwest, as shown by recorded Map.
4. Restrictions or covenants recorded in Misc. Volume 14, page 538, and Volume 323, page 631, amended by Misc. Volume 17, page 560, and Misc. Volume 34, page 549, in the Probate Office of Shelby County, Alabama, but omitting any covenant or restriction based on race, color, religion, sex, handicap, familial status, or national origin.
5. Restriction regarding Alabama Power Company recorded in Misc. Volume 25, page 614, in the Probate Office of Shelby County, Alabama.
6. Agreement with Alabama Power Company recorded in Misc. Volume 25, page 614, in the Probate Office of Shelby County, Alabama.
7. Mineral and mining rights and rights incident thereto recorded in Volume 127, page 140, and Volume 314, page 341, in the Probate Office of Shelby County, Alabama.
8. Right of Way granted to Alabama Power Company by instrument recorded in Volume 312, page 606, in the Probate Office of Shelby County, Alabama.

This property is not the homestead of the grantor(s) nor their spouse (s).

Helen M. Church was the surviving grantee of that certain deed recorded in Volume 319, page 132; Shelby County, Alabama; Laurence M. Church having died on or about the 29 day of MAY, 1981.

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 we do for ourselves and for our heirs, executors, and administrators covenant with the said Grantees, their heirs and assigns, that We are lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that we have a good right to sell and convey the same as aforesaid; that we will and our heirs, executors and administrators 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, we have hereunto set our hands and seals this 4th of December, 1995.

STATE OF ALABAMA
JEFFERSON COUNTY

Laurence W Church

(Seal)

John Church

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Laurence W. Church, married, and John Church, married, whose names are 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, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 4th day of December, 1995.

12/07/1995
10:05 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
001 MCD 278.50

Inst # 1995-35055