

WARRANTY DEED WITH RIGHT OF SURVIVORSHIP

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

That in consideration of ONE HUNDRED SIXTY-FIVE THOUSAND AND 00/100 DOLLARS (\$165,000.00) to the undersigned Grantors in hand paid by the Grantees herein, the receipt whereof is acknowledged, we, JAMES R. HOGAN and DIANE M. HOGAN, husband and wife (herein referred to as Grantors), do grant, bargain, sell and convey unto MARK H. WHITWORTH AND TYANNE J. WHITWORTH, as joint tenants with right of survivorship, (herein referred to as Grantees), the following described real estate situated in SHELBY County, Alabama to wit:

SEE ATTACHED LEGAL DESCRIPTION


\$132,000.00 of the consideration herein is from a purchase money first mortgage.

Subject to any and all matters of public record and matters which could be revealed by a survey. Mineral and mining rights are not warranted herein nor granted. 1996 taxes are currently a lien but are not yet due and payable.

And we do for ourselves and for our heirs, executors, and administrators covenant with the said GRANTEES, and their heirs and asstgns, 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, and their assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this 5th day of December, 1995.



JAMES R. HOGAN


DIANE M. HOGAN

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

I, MARK E. TIPPINS, a Notary Public in and for said County, in said State, hereby certify that JAMES R. HOGAN AND DIANE M. HOGAN, whose names are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance and having full authority to sign said deed, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 5TH day of DECEMBER, 1995.

Notary Public: 
My commission expires: 7/23/97

Prepared by: Mark E. Tippins, Attorney, 4 Office Park Circle, #215 Birmingham, Alabama 35223 (205) 870-4343

Send tax notice to: M. WHITWORTH, 4827 Caldwell Mill Road, Birmingham, AL 35243

Inst # 1995-36163

12/18/1995-36163
10:31 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 MCD 44.00

EXHIBIT "A"

A part of the SW 1/4 of NW 1/4 of Section 3, Township 19 South, Range 2 West and being more particularly described as follows: Commence at the SE corner of said 1/4 1/4 Section; thence West along the South line of same a distance of 365.14 feet; thence 98 degrees 09 minutes to the right in a Northeasterly direction a distance of 624.55 feet to the point of beginning of tract herein described; thence continue along the last named course a distance of 106.00 feet; thence 91 degrees 24 minutes to the left in a Westerly direction a distance of 215.44 feet to the Easterly right of way line of New Caldwell Mill road; thence 90 degrees to the left in a Southerly direction along said right of way a distance of 106.0 feet; thence 90 degrees to the left in a Easterly direction a distance of 212.88 feet to the point of beginning.

Situated in Shelby County, Alabama.

Inst # 1995-36163

12/18/1995-36163
10:31 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 NCU 44.00