

96-2127

Inst # 1996-03723

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was prepared by:

R. Shan Paden
PADEN & PADEN
Attorneys at Law
100 Concourse Parkway, Suite 130
Birmingham, Alabama 35244

SEND TAX NOTICE TO:

JOHN B. WHITMER
128 CREDEN PLACE
ALABASTER, AL 35007

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 EIGHT THOUSAND NINE HUNDRED and 00/100 (\$128,900.00) DOLLARS to the undersigned grantor, BILL'S CONTRACTING SERVICE, INC. in hand paid by the GRANTEEES herein, the receipt of which is hereby acknowledged, the said GRANTOR, does by these presents, grant, bargain, sell and convey unto JOHN B. WHITMER and CHRISTINE G. WHITMER, HUSBAND AND WIFE, (herein referred to as GRANTEEES, as joint tenants, with right of survivorship, whether one or more) the following described real estate, situated in SHELBY County, Alabama, to-wit:

LOT 303, ACCORDING TO THE SURVEY OF WEATHERLY, CREDENHILL, SECTOR 21, AS RECORDED IN MAP BOOK 20 PAGE 7 IN THE PROBATE OFFICE OF 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. Restrictions, covenants and conditions as set out in instrument(s) recorded in Inst. #1995-15694 in Probate Office.
 3. 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 Inst. #1995-15690 in Probate Office.
- Release of damages as set out in instrument recorded in Inst. #1995-15694 in Probate Office.
- Non-exclusive perpetual easement for ingress and egress and utilities as set out as Inst. #1995-6002 in Probate Office.
- Covenants and agreements for water services and tap fees as set out as Inst. #1995-6003 in Probate Office.
- \$106,900.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

TO HAVE AND TO HOLD Unto the said GRANTEEES 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

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

IN WITNESS WHEREOF, the said GRANTOR, BILL'S CONTRACTING SERVICE, INC., by its , WILLIAM D. MURRAY who is authorized to execute this conveyance, has hereunto set its signature and seal, this the 23rd day of January, 1996.

BILL'S CONTRACTING SERVICE, INC.

By: William D. Murray
WILLIAM D. MURRAY

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that WILLIAM D. MURRAY, whose name as of BILL'S CONTRACTING SERVICE, 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 23rd day of January, 1996.

[Signature]
Notary Public

My commission expires: 5-20-96

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