

95-2044

Inst # 1996-03744

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was prepared by:

SEND TAX NOTICE TO:

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

FREDDIE BERNARD THOMAS, JR.
143 KENTWOOD TRAIL
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 FIFTY FIVE THOUSAND FOUR HUNDRED EIGHTY NINE and 00/100 (\$155,489.00) DOLLARS to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, DAN TUCK D/B/A DAN TUCK HOMES (herein referred to as GRANTORS) do grant, bargain, sell and convey unto FREDDIE BERNARD THOMAS, JR. and VIRDEN M. THOMAS, 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 105, ACCORDING TO THE SURVEY OF KENTWOOD, THIRD ADDITION, PHASE ONE, AS RECORDED IN MAP BOOK 19 PAGE 26, 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. Building setback line of 30 feet reserved from Kentwood Trail, Kentwood Terrace and from Shelby County Highway No. 26 as shown by plat.

- 3. Public easements as shown by recorded plat, including 7.5 feet on the Westerly side of lot.

Restrictions, covenants and conditions as set out as Instrument #1995-25822 in Probate Office.

Agreement for waterline easement recorded as Instrument #1992-18725.

Restrictions, limitations and conditions as set out in Map Book 19 page 26 in Probate Office.

\$160,153.00 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

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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, DAN TUCK D/B/A DAN TUCK HOMES, have hereunto set his, her or their signature(s) and seal(s), this the 18th day of January, 1996.


DAN TUCK D/B/A DAN TUCK HOMES

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that DAN TUCK D/B/A DAN TUCK HOMES, 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 18th day of January, 1996.


Notary Public

My commission expires: 5-20-96

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