

76-2128

Inst # 1996-06627

(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

THOMAS D. SWARTS
100 SWEET GUM DRIVE
CHELSEA, AL 35043

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 FORTY NINE THOUSAND FIVE HUNDRED NINETY TWO and 00/100 (\$149,592.00) DOLLARS to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, CRAYTON D. PATTERSON, JR., A MARRIED MAN D/B/A PATTERSON HOMEBUILDERS (herein referred to as GRANTORS) do grant, bargain, sell and convey unto THOMAS D. SWARTS and SYLVIA LOVE SWARTS, HUSBAND AND WIFE, (herein referred to as GRANTEES, as joint tenants, with right of survivorship, whether one or more) my undivided interest in the following described real estate, situated in SHELBY County, Alabama, to-wit:

LOT 27, ACCORDING TO THE SURVEY OF YELLOW LEAF RIDGE ESTATES, AS RECORDED IN MAP BOOK 18, PAGE 127, 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. 35 foot building line as shown by recorded Map.
3. Undefined easement of varying width on front as shown by recorded map.
4. Restrictions of Covenants recorded in Instrument 1994-24553, 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. Mineral and mining rights and rights incident thereto recorded in Volume 228, page 363, in the Probate Office of Shelby County, Alabama.
6. Right of Way granted to Alabama Power Company by instrument recorded in Volume 102, page 157; Volume 306, page 398 and Volume 142, page 246 and Instrument #1995-12826, in the Probate Office of Shelby County, Alabama.
7. Right of Way granted to Shelby County, recorded in Volume 135, page 424, in the Probate Office of Shelby County, Alabama.

SUBJECT PROPERTY DOES NOT CONSTITUTE THE HOMESTEAD OF THE GRANTOR, CRAYTON D. PATTERSON, JR. NOR HIS RESPECTIVE SPOUSE.

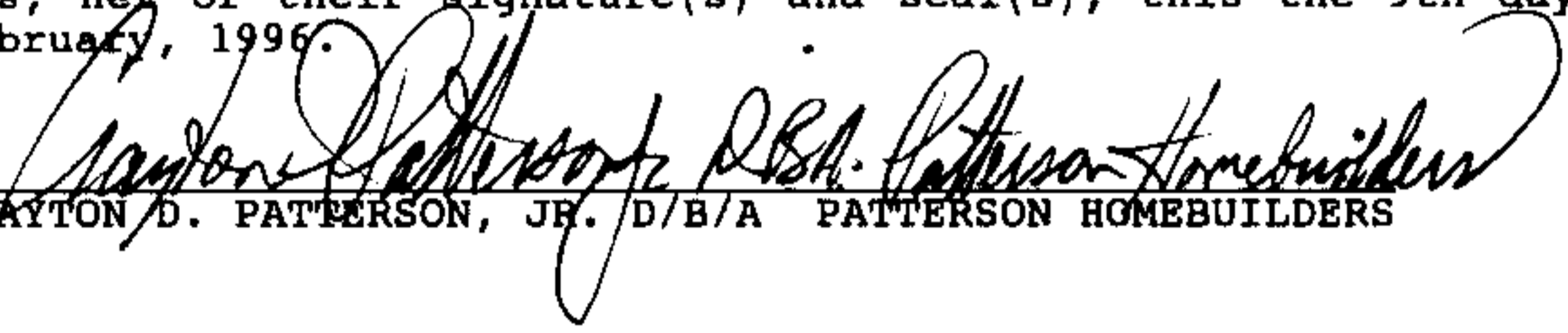
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SHELBY COUNTY JUDGE OF PROBATE
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\$123,750.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

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, CRAYTON D. PATTERSON, JR., A MARRIED MAN D/B/A PATTERSON HOMEBUILDERS, have hereunto set his, her or their signature(s) and seal(s), this the 9th day of February, 1996.

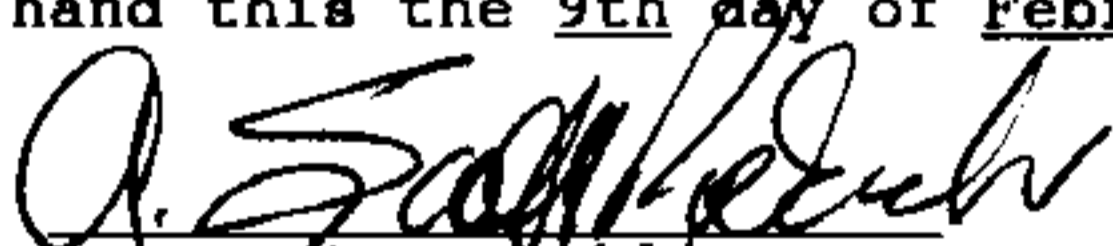

CRAYTON D. PATTERSON, JR. D/B/A PATTERSON HOMEBUILDERS

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that CRAYTON D. PATTERSON, JR., A MARRIED MAN D/B/A PATTERSON HOMEBUILDERS, 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 9th day of February, 1996.


Notary Public

My commission expires: 5-20-96

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