

96-2121

(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

EARL J. MARCEL
108 WYNLAKE WAY
ALABASTER, AL 35000

Inst # 1996-10964

04/04/1996-10964
11:01 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
18.50
002 SNA

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 FOUR THOUSAND and 00/100 (\$144,000.00) DOLLARS to the undersigned grantor, DAN TUCK HOMES, INC. in hand paid by the GRANTEES herein, the receipt of which is hereby acknowledged, the said GRANTOR, does by these presents, grant, bargain, sell and convey unto EARL J. MARCEL, HUSBAND AND WIFE and JEAN B. MARCEL, (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 3, ACCORDING TO THE SURVEY OF WYNLAKE SUBDIVISION, PHASE I, AS RECORDED IN MAP BOOK 19, PAGE 156, 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. Building setback line of 35 feet reserved from Buck Run Lane as shown by plat.
3. Public easements as shown by recorded plat, including a 50 foot easement along the Southerly side of lot.
4. Restrictions, covenants and conditions as set out in Inst. #1995-30874 in Probate Office.
5. Right(s)-of-Way(s) granted to Alabama Power Company by instrument(s) recorded in Real 40 page 202 in Probate Office.
6. Easement(s) to Alabama Power Company as shown by instrument(s) recorded in Deed 101 page 76; Deed 121 page 191 and Deed 138 page 317 in Probate Office.
7. 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 Real 15 page 375 in Probate Office.
8. Restrictions, limitations and conditions as set out in Map Book 19 page 156.

\$136,800.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

Inst # 1996-10964

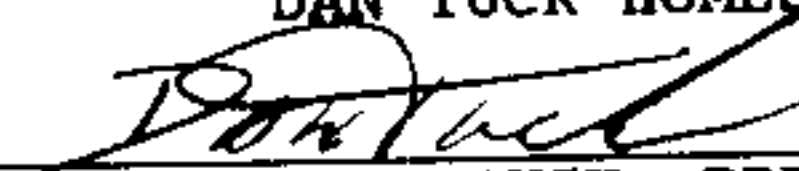
TO HAVE AND TO HOLD Unto the said GRANTEES as joint tenants, with right of survivorship, their heirs and assigns, forever; it being the intention of the parties to this conveyance, that (unless the joint tenancy hereby created is severed or terminated during the joint lives of the grantees herein) in 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 said GRANTOR does for itself, its successors and assigns, covenant with the said GRANTEES, 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 GRANTEES, his, her, or their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said GRANTOR, DAN TUCK HOMES, INC., by its PRESIDENT, DAN TUCK, who is authorized to execute this conveyance, has hereunto set its signature and seal, this the 29th day of March, 1996.

DAN TUCK HOMES, INC.

By:

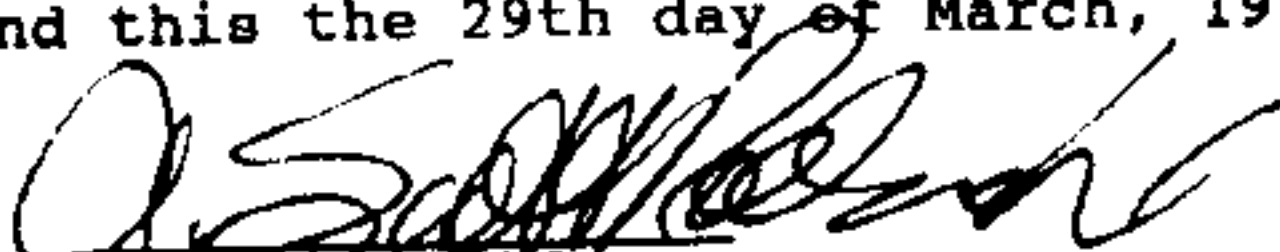

DAN TUCK, PRESIDENT

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, whose name as PRESIDENT of DAN TUCK HOMES, 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 29th day of March, 1996.


Notary Public

My commission expires:

5-20-96

Inst # 1996-10964

04/04/1996-10964
11:01 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 SNA 18.50