

This instrument prepared by:
John N. Randolph, Attorney
Stote & Permutt P.C.
2222 Arlington Avenue
Birmingham, Alabama 35205

Send Tax Notice to:
Bart A. Pelton
Patricia A. Pelton
5315 Harvest Ridge Lane
Birmingham, AL 35243

WARRANTY DEED, Joint Tenants with Right of Survivorship

State of Alabama

KNOW ALL MEN BY THESE PRESENTS,

Shelby County

That in consideration of One Hundred Seventy-One Thousand and 00/100 (\$171,000.00) Dollars to the undersigned grantors in hand paid by the Grantees herein, the receipt whereof is acknowledged, we, **Mark B. McClung, and wife, Mary T. McClung** (herein referred to as Grantors) do grant, bargain, sell and convey unto **Bart A. Pelton and Patricia A. Pelton** (herein referred to as Grantees) as joint tenants with right of survivorship, the following described real estate situated in Shelby County, Alabama, to-wit:

Lot 38, according to the Survey of Meadow Brook, 11th Sector, as recorded in Map Book 9, page 6 A & B, in the Probate Office of Shelby County, Alabama.

Subject to:

1. Ad valorem taxes for the current tax year which grantees herein assume and agree to pay.
2. 35 foot building line as shown on recorded Map.
3. 10 foot Easement on North, as shown on recorded Map.
4. Restrictions as shown by recorded Map.
5. Restrictions or Covenants recorded in Misc. Volume 57, page 23, in the Probate Office of Shelby County, Alabama, but omitting any covenant or restriction based on color, race, religion, familial status, sex, handicap or national origin.
6. Agreement with Alabama Power Company recorded in Misc. Volume 57, page 708, in the Probate Office of Shelby County, Alabama.
7. Restrictions regarding Alabama Power Company recorded in Misc. Volume 57, page 711, in the Probate Office of Shelby County, Alabama.
8. Right of Way granted to Alabama Power Company by instrument recorded in Real 1, page 344, in the Probate Office of Shelby County, Alabama.
9. Mineral and mining rights and rights incident thereto recorded in Misc. Volume 32, page 308, and Misc. Volume 40, page 265, in the Probate Office of Shelby County, Alabama.

\$ 162450.00 of the purchase price recited above was paid from the proceeds of a mortgage loan 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 grantee herein shall take as tenants in common.

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

IN WITNESS WHEREOF, we have hereunto set our hands and seals this 12 of July, 1996.

X Mark B. McClung (Seal)
Mark B. McClung

✓ Mary T. McClung (Seal)
Mary T. McClung

STATE OF ALABAMA
JEFFERSON COUNTY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Mark B. McClung, and wife, Mary T. McClung, 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, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 12 day of July, 1996.

Notary Public
My commission expires:
Affix Seal

Inst # 1996-22802

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07/16/1996-22802
09:09 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
001 MCO - 17.50