

PREPARED BY: CU LENDING, INC., 22 Inverness Center Parkway, Suite 210, Birmingham, Alabama 35242

SEND TAX NOTICE TO: BRIAN WADE GARGUS AND MALA ANN GARGUS
102 GREEN WING CIRCLE, PELHAM, AL 35124

WARRANTY DEED, JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

STATE OF ALABAMA)
COUNTY OF SHELBY)

KNOW ALL MEN BY THESE PRESENTS: That in consideration of ONE HUNDRED FIFTY SEVEN THOUSAND AND NO/100 DOLLARS (\$157,000.00), to the undersigned Grantor or Grantors, in hand paid by the GRANTEES herein, the receipt of which is hereby acknowledged, I (We), TODD A. NORTH, AND WIFE, THERESE A. NORTH (herein referred to as GRANTOR, whether one or more) do grant, bargain, sell and convey unto, BRIAN WADE GARGUS AND WIFE, MALA ANN GARGUS (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 22, ACCORDING TO THE SURVEY OF MALLARD POINTE, FIRST ADDITION, AS RECORDED IN MAP BOOK 11, PAGE 86, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

- (1) Subject to property taxes for the current year.
- (2) Subject to easements, restrictions, covenants and conditions, if any.
- (3) Subject to mineral and mining rights.
- (4) Subject to 35 foot building set back line as shown by recorded map.
- (5) Subject to 50 foot easement for gas line along rear of subject property as shown by recorded map.
- (6) Subject to 10 foot easement along rear and 5 foot easement along east side as shown by recorded map.
- (7) Subject to restrictions as set out in Real Book 164, page 28, and corrected in Real Book 179, page 442.
- (8) Subject to transmission line permit to Alabama Power Company in Deed Book 127, page 395.
- (9) Subject to right of way to South Central Bell Telephone Company in Real Book 149, page 198.
- (10) Subject to easement to Alabama Power Company as set out in Real Book 167, page 415, and corrected in Real Book 179, page 442.
- (11) Subject to covenants as set out in Real book 160, page 670.
- (12) Subject to agreement with Alabama Power Company in Real Book 166, page 67.

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 said GRANTEES, their heirs and assigns, that I(we) am(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, their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, I(we) have hereunto set my(our) hand(s) and seal(s), on NOVEMBER 15, 1996.

Todd A. North
TODD A. NORTH

Therese A. North
THERESE A. NORTH

STATE OF ALABAMA)
COUNTY OF SHELBY)

I, the undersigned authority, a Notary Public, in and for said County in said State, hereby certify that TODD A. NORTH, AND WIFE, THERESE A. NORTH, 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 said conveyance, (s)he (they) executed the same voluntarily on the date the same bears date.

Given under my hand and official seal on NOVEMBER 15, 1996.

My commission expires: 1/20/99

Wendell R. Ray
Notary Public

Inst # 1996-38123

11/19/1996-38123
08:13 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
001 MCD 165.50

MAGNOLIA TITLES

Inst # 1996-38123