

02/21/1997-05514
09:19 AM CERTIFIED
RECORDING USE ONLY

Inst 0 1997-05514

(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:

ROBERT T. BISHOP, II
2718 SOUTHWIND CIRCLE
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 FIFTEEN THOUSAND FIVE HUNDRED and 00/100 (\$115,500.00) DOLLARS to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, THOMAS HENRY MAGGART, JR. and NANCY KATHLEEN MAGGART, HUSBAND AND WIFE (herein referred to as GRANTORS) do grant, bargain, sell and convey unto ROBERT T. BISHOP, II, A MARRIED PERSON, (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 22, BLOCK 7, ACCORDING TO THE SURVEY OF SOUTHWIND, FOURTH SECTOR, AS RECORDED IN MAP BOOK 7 PAGE 97 IN THE OFFICE OF THE JUDGE OF PROBATE OF SHELBY COUNTY, ALABAMA.

SUBJECT TO:

1. Subject to the taxes for the year beginning October 1, 1996 which constitutes a lien but are not yet due and payable until October 1, 1997.
2. Building setback line of 35 feet reserved from Southwind Circle as shown by plat. Said building setback line has been violated in that the roof overlaps the line.
3. Easement(s) as shown by recorded plat, including 5 feet on the Southwesterly and Easterly sides and 10 feet on the Southeasterly side of lot.
4. Restrictions, covenants and conditions as set out in instrument(s) recorded in Misc. Book 27 page 978 in Probate Office.
5. Transmission Line Permit(s) to Alabama Power Company as shown by instrument(s) recorded in Deed 316 page 359 in Probate Office.
6. Agreement with Alabama Power Company as to underground cables recorded in Misc. Book 28 page 646 and covenants pertaining thereto recorded in Misc. Book 28 page 647 in Probate Office.
7. Mislocation of fence, pool apron, and deck into easement as shown on survey by Amos Cory dated 05/20/93.

THOMAS HENRY MAGGART, JR. AND NANCY KATHLEEN MAGGART ARE ONE AND THE SAME AS THOMAS H. MAGGART AND NANCY K. MAGGART.

\$103,500.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

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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, THOMAS HENRY MAGGART, JR. and NANCY KATHLEEN MAGGART, HUSBAND AND WIFE, have hereunto set his, her or their signature(s) and seal(s), this the 14th day of February, 1997.

~~Thomas Henry Maggart Jr.~~ Acting by and through his Attorney in Fact, Nancy Kathleen Maggart
THOMAS HENRY MAGGART, JR., ACTING BY AND THROUGH
HIS ATTORNEY IN FACT, NANCY KATHLEEN MAGGART

Nancy Kathleen Maggart
NANCY KATHLEEN MAGGART

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that NANCY KATHLEEN MAGGART, 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 14th day of February, 1997.

[Signature]
Notary Public

My commission expires: 7/16/98

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that NANCY KATHLEEN MAGGART, whose as Attorney in Fact for THOMAS HENRY MAGGART, JR. is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the of the conveyance, she, in her capacity as such Attorney in Fact, and with full authority executed the same voluntarily on the date the same bears date.
Given under my hand this the 14th day of February, 1997.

[Signature]
Notary Public

My commission expires: 7/16/98

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SHELBY COUNTY JUDGE OF PROBATE
002 MEL 23.00