

(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

KENNETH E. THOMASTON
424 WYNLAKE LANE
MONTEVALLO, AL 35115

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 FIFTY FIVE THOUSAND and 00/100 (\$155,000.00) DOLLARS to the undersigned grantor, JIMMY T. VINES CONSTRUCTION CO., 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 KENNETH E. THOMASTON, AN UNMARRIED PERSON and GAYLA A. DUKE, 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, ACCORDING TO THE SURVEY OF WYNLAKE SUBDIVISION, PHASE II, AS RECORDED IN MAP BOOK 20 PAGE 12 A & B IN THE PROBATE OFFICE 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 Shadow Run Lane as shown by plat.
3. Easements as shown by recorded plat.
4. Restrictions, covenants and conditions as set out in instrument(s) recorded in Inst. No. 1995-30873 and Inst. No. 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 recorded in Deed Book 101 page 76, Deed Book 121 page 191 and Deed Book 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 20 page 12 A & B.

\$147,250.00 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 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, JIMMY T. VINES CONSTRUCTION, INC., by its VICE-PRESIDENT, DEL VINES who is authorized to execute this conveyance, has hereunto set its signature and seal, this the 30th day of May, 1997.

JIMMY T. VINES CONSTRUCTION, INC.

By: Del Vines
DEL VINES, VICE-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 DEL VINES, whose name as VICE-PRESIDENT of JIMMY T. VINES CONSTRUCTION, 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 30th day of May, 1997.

Ant S. Paul
Notary Public

My commission expires: 7/16/98

Inst # 1997-17106

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