

## (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:

M. SEAN CLARKE  
3012 O'CONNOR COURT  
HELENA, AL 35080

STATE OF ALABAMA)

COUNTY OF SHELBY)

**JOINT TENANTS WITH RIGHT OF SURVIVORSHIP**

**WARRANTY DEED**

Know All Men by These Presents: That in consideration of NINETY SIX THOUSAND and 00/100 (\$96,000.00) DOLLARS to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, DAVID B. BENTLEY and MICHELLE B. BENTLEY, HUSBAND AND WIFE (herein referred to as GRANTORS) do grant, bargain, sell and convey unto M. SEAN CLARKE, A SINGLE MAN and RHIANNON L. JANE, A SINGLE WOMAN, (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 93, ACCORDING TO THE SURVEY OF BRAELINN VILLAGE, PHASE I, AS RECORDED IN MAP BOOK 11, PAGE 100, 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. Restrictions per recorded plat.
3. Declaration Protective Covenants as recorded in Real Volume 174, Page 781.
4. Restrictive Covenants with Alabama Power Company as recorded in Real Volume 166, Page 77.
5. Underground agreement with Alabama Power Company as recorded in Real Volume 166, Page 64.
6. Easement and Right of Way to Alabama Power Company in Real Volume 167, Page 419 and Real Volume 220, Page 449.
7. Right of Way to Alabama Power Company as recorded in Real Volume 298, Page 900.

\$95,523.00 of the consideration herein was derived from a mortgage 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

06/03/1997-17119  
08:42 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 MEL 11.50

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, DAVID B. BENTLEY and MICHELLE B. BENTLEY, HUSBAND AND WIFE, have hereunto set his, her or their signature(s) and seal(s), this the 30th day of May, 1997.

David B. Bentley  
DAVID B. BENTLEY

Michelle B. Bentley  
MICHELLE B. BENTLEY

STATE OF ALABAMA)  
COUNTY OF SHELBY)

#### ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that DAVID B. BENTLEY and MICHELLE B. BENTLEY, HUSBAND AND WIFE, 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 30th day of May, 1997.

Robert S. Paul  
Notary Public

My commission expires: 7/16/98

Inst # 1997-17119

06/03/1997-17119  
08:42 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 MEL 11.50