

THIS INSTRUMENT WAS PREPARED BY:  
Richard W. Theibert, Attorney  
NAJJAR DENABURG, P.C.  
2125 Morris Avenue  
Birmingham, Alabama 35203

SEND TAX NOTICE TO:  
Neal R. Scott  
Christy L. Scott  
3433 Charing Wood Lane  
Birmingham, AL 35242

WARRANTY DEED  
JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

THE STATE OF ALABAMA )  
COUNTY OF SHELBY ) : KNOW ALL MEN BY THESE PRESENTS:

That in consideration of One Hundred Forty-Eight Thousand Nine Hundred Thirty and No/100, (\$148,930.00), DOLLARS, in hand paid to the undersigned, David B. Herndon, a married man, Sandra T. Friedlander, a married woman, (hereinafter referred to as "GRANTORS"), by Neal R. Scott and spouse, Christy L. Scott, (hereinafter referred to as "GRANTEES"), the receipt of which is hereby acknowledged, the said GRANTORS do by these presents, grant, bargain, sell and convey unto GRANTEES the following described real estate, located and situated in Shelby County, Alabama, to wit:

Lot 6, in Block 2, according to the Survey of Applecross, a Subdivision of Inverness, as recorded in Map Book 6, Page 42 A & B, in the Office of the Judge of Probate of Shelby County, Alabama.

SUBJECT TO:

1. Ad valorem taxes for the year, 1997.
2. Restrictions appearing of record in Misc. Book 10, Page 515 and amended in Misc. Book 13, Page 154 and Misc. Book 17, Page 183.
3. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto, together with any release of liability for injury or damage to persons or property as a result of the exercise of such rights as recorded in Deed Volume 307, Page 473.
4. Terms, agreements and right of way to Alabama Power Company, as recorded in Misc. Book 10, Page 557.
5. Agreement with Alabama Power Company for Underground Residential Distribution as shown by instrument recorded Misc. Book 10, Page 558.
6. Right of Way granted to Alabama Power Company by instrument recorded in Deed Book 293, Page 755; Deed Book 291, Page 386; Deed Book 126, Page 343 and Deed Book 109, Page 293.
7. A 10 foot easement along Northwesterly and easterly lot lines; easement of varying width along Southerly lot line, as shown on recorded map.

\$141,450.00 of the purchase price recited above was paid from the proceeds of a purchase money mortgage executed simultaneously with delivery of this deed.

SANDRA T. FRIEDLANDER is one and the same person as the SANDRA T. HERNDON recited in that Deed recorded in the Probate Office of Shelby County, Alabama, reflecting the same above mentioned legal description.

"NO PART OF THE REAL PROPERTY CONVEYED HEREIN CONSTITUTES THE HOMESTEAD OF THE GRANTORS, NOR THE GRANTOR'S SPOUSES".

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 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.

GRANTEES understand that acceptance of this deed constitutes acceptance of all of the terms, conditions and obligations of all protective covenants and restrictions as set out hereinabove.

IN WITNESS WHEREOF, we have hereunto set our hands and seals, this 9th day of July, 1997.

 (SEAL)  
David B. Herndon  
GRANTOR

 (SEAL)  
Sandra T. Friedlander  
GRANTOR

 (SEAL)  
Neal R. Scott  
GRANTEE

 (SEAL)  
Christy L. Scott  
GRANTEE

THE STATE OF ALABAMA )  
:  
COUNTY OF JEFFERSON )

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that David B. Herndon, a married man, and Sandra T. Friedlander, a married woman, 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 9th day of July, 1997.



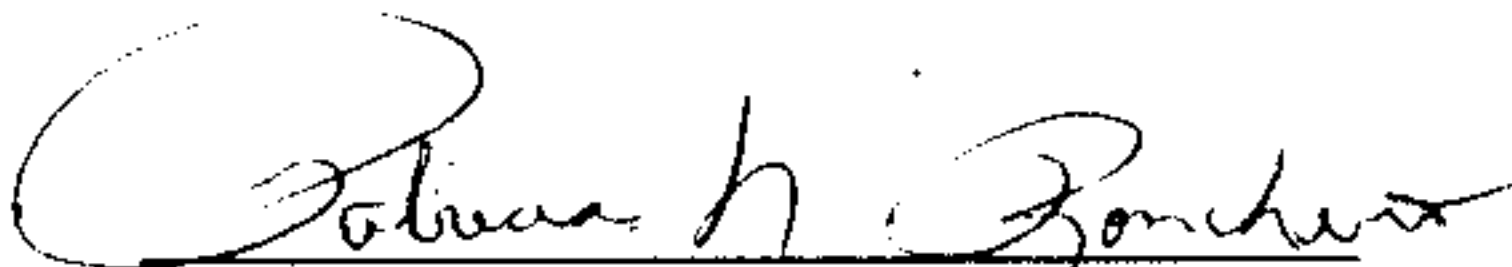
NOTARY PUBLIC

My commission expires: 2-20-2001

THE STATE OF ALABAMA )  
:  
COUNTY OF JEFFERSON )

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Neal R. Scott and spouse, Christy L. Scott, whose names are signed to the foregoing conveyance as GRANTEES, 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 9th day of July, 1997.



NOTARY PUBLIC

My commission expires: 2-20-2001

Inst. # 1997-21997

Page 3 of 3

07/14/1997-21997  
10:05 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
003 MEL 21.00