

97-2981

08/12/1997-25580  
12:59 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 MEL 17.50

Inst # 1997-25580

(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

GILBERT E. RUCKER  
109 JUNIPER CIRCLE  
PELHAM, AL 35124

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 TWENTY NINE THOUSAND NINE HUNDRED and 00/100 (\$129,900.00) DOLLARS to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, KENNY CURTIS D/B/A KMC HOMES (herein referred to as GRANTORS) do grant, bargain, sell and convey unto GILBERT E. RUCKER and BONITA C. CHAPMAN RUCKER, HUSBAND AND WIFE, (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 95, ACCORDING TO THE SURVEY OF IVY BROOK, PHASE TWO, THIRD ADDITION, AS RECORDED IN MAP BOOK 21 PAGE 20 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 20 feet reserved from Juniper Circle as shown by plat.
3. Transmission Line Permit(s) to Alabama Power Company as shown by instrument(s) recorded in Deed Book 76 page 297 in Probate Office.
4. Easement(s) to Plantation Pipeline Co. as shown by instrument recorded in Deed Book 183 pages 181 & 183 and Deed Book 90 page 435 in Probate Office.
5. Easement(s) to Southern Natural Gas Co. as shown by instrument recorded in Deed Book 90 page 433 in Probate Office.
6. Right(s)-of-Way(s) granted to Plantation Pipeline Co. by instrument(s) recorded in Deed Book 254 pages 523, 525 and 527 in Probate Office.
7. Right(s)-of-Way(s) granted to Shelby County by instrument(s) recorded in Deed Book 135 page 401 in Probate Office.
8. Easement(s) to Colonial Pipeline Co. as shown by instrument recorded in Deed Book 311 page 988 in Probate Office.
9. Easement(s) to Alabama Gas Corporation as shown by instrument recorded in Deed Book 285 page 517 in Probate Office.

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- 10. Right(s)-of-Way(s) granted to Colonial Pipeline Co. by instrument(s) recorded in Deed Book 224 page 756 in Probate Office.
- 11. Right(s)-of-Way(s) granted to South Central Bell by instrument(s) recorded in Inst. No. 1992-13513 in Probate Office.
- 12. Easement(s) to Alabama Power Company as shown by instrument recorded in Real 183 page 220 in Probate Office.
- 13. Riparian Rights, if any, in and to the use of Buck Creek.
- 14. Restrictions, covenants and conditions as set out in instrument(s) recorded in Inst. #1996-17200 in Probate Office.
- 15. Restrictions, limitations and conditions as set out in Map Book 21 page 20.
- 16. Release of damages, restrictions, modifications, covenants, conditions, rights, privileges, immunities, and limitations, as applicable, as set out in, and as referenced in deed(s) recorded in Inst. #1997-1179 in the Probate Office.

\$123,400.00 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 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, KENNY CURTIS D/B/A KMC HOMES, have hereunto set his, her or their signature(s) and seal(s), this the 29th day of July, 1997.

*Kenny Curtis D/B/A KMC Homes*  
KENNY CURTIS D/B/A KMC HOMES

STATE OF ALABAMA)  
COUNTY OF SHELBY)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that KENNY CURTIS D/B/A KMC HOMES, 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 29th day of July, 1997.

*Margaret Relf*  
Notary Public

My commission expires: 8/22/2000

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