

## (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

BEN GRUBBS  
104 SHIRAZ STREET  
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 EIGHTY THOUSAND NINE HUNDRED EIGHTY SEVEN and 00/100 (\$180,987.00) DOLLARS to the undersigned grantor, DAN TUCK HOMES, 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 BEN GRUBBS and FRANCES GRUBBS, 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 49-A, ACCORDING TO A RESURVEY OF LOTS 49 AND 50, WYNLAKE, PHASE 3, AS RECORDED IN MAP BOOK 22, PAGE 152, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

**SUBJECT TO:**

1. Taxes for the year beginning October 1, 1997 which constitutes a lien but are not yet due and payable until October 1, 1998.
2. Easements, or claims of easements, not shown by the public records.
3. Easement(s) as shown on recorded map(s).
4. 35 foot building restrictions line from Shadow Run Way as shown on recorded map.
5. Notes and restrictions as set out in Map Book 21 page 84.
6. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto as recorded in Instrument #1996-35083.
7. Restrictions appearing of record under Instrument Number 1996-26737 and Instrument Number 1997-22249.

**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.

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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, DAN TUCK HOMES, INC., by its PRESIDENT, DAN TUCK who is authorized to execute this conveyance, has hereunto set its signature and seal, this the 20th day of January, 1998.

DAN TUCK HOMES, INC.

By: *Dan Tuck*  
DAN TUCK, 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 DAN TUCK, whose name as PRESIDENT of DAN TUCK HOMES, 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 20th day of January, 1998.

*Mary Margaret Relfe*  
Notary Public

My commission expires: *2/22/2000*

Inst # 1998-01974

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