

THIS INSTRUMENT PREPARED BY:

SEND TAX NOTICE TO:

JAMES R. MONCUS, JR.  
ATTORNEY AT LAW  
1313 ALFORD AVENUE  
BIRMINGHAM AL 35226

Sam W. Bennett  
Susan E. Bennett  
1200 Country Club Circle  
Birmingham, AL 35244

**WARRANTY DEED, JOINTLY FOR LIFE WITH REMAINDER TO SURVIVOR**

STATE OF ALABAMA )

JEFFERSON COUNTY )

KNOW ALL MEN BY THESE PRESENTS, that in consideration of One and no/100 dollars (\$1.00) and other good and valuable consideration to the undersigned grantor (whether one or more, in hand paid by the grantees herein, the receipt whereof is acknowledged, I or we,

**SAM W. BENNETT AND WIFE, SUSAN E. BENNETT**

(herein referred to as Grantor, whether one or more), grant, bargain, sell and convey unto

**SAM W. BENNETT AND SUSAN E. BENNETT**

(herein referred to as Grantees), for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, the following described real estate, situated in Shelby County, Alabama, to-wit:

Lot 42, Third Addition to Riverchase Country Club as recorded in Map Book 7, Page 53, in the Probate Office of Shelby County, Alabama. And a part of Lot 41, Third Addition to Riverchase Country Club as recorded in Map Book 7, Page 53, in the Probate Office of Shelby County, Alabama. And being more particularly described as follows: Begin at the Southeasterly corner of said Lot 41; thence run in a Northwesterly direction along Easterly line of said Lot 41, also being the Westerly line of Lot 42 of said Third Addition to Riverchase Country Club, for a distance of 174.82 feet; thence turn an angle of 89 degrees 58 minutes 11 seconds to the left and run Southwesterly along the Northern line of Lot 41 for a distance of 34.41 feet; thence turn an angle of 101 degrees 09 minutes 56 seconds to the left and run in a Southeasterly direction for a distance of 178.19 feet to the point of beginning.

Subject to:

1. Ad valorem taxes for the current tax year and thereafter.
2. Restrictions as shown by recorded Map.
3. 10' easement on northeast and northwest, as shown by recorded Map.
4. Restriction or covenants recorded in Misc. Volume 14, Page 536, and Volume 323, Page 631, amended by Misc. Volume 17, Page 560, and Misc. Volume 34, Page 649, in the Probate Office of Shelby County, Alabama, but omitting any covenant or restriction based on race, color, religion, sex, handicap, familial status, or national origin.
5. Restriction regarding Alabama Power Company recorded in Misc. Volume 25, Page 814, in the Probate Office of Shelby County, Alabama.

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Inst # 1998-06624

\$1,000.00

6. Agreement with Alabama Power Company recorded in Misc. Volume 25, Page 614, in the Probate Office of Shelby county, Alabama.

7. Mineral and mining rights and rights incident thereto recorded in Volume 127, Page 140, and Volume 314, Page 341, in the Probate Office of Shelby County, Alabama.

8. Right of Way granted to Alabama Power Company by Instrument recorded in Volume 312, Page 606, in the Probate Office of Shelby County, Alabama.

Grantors and Grantees herein are one and the same persons, it being the purpose and intent of this instrument to re-describe the original Lots 41 and 42 acquired by Grantees to reflect the lot modifications as described herein.

NOTE: No title examine performed at the request of the parties hereinabove. The attorney herein acted merely as a Scrivener in preparing this instrument.

TO HAVE AND TO HOLD, the same unto the Grantees for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, and to the heirs and assigns for such survivor forever.

And I (we) do, for myself (ourselves) and for my (our) heirs, executors and administrators, covenant with said grantee, 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 stated 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, their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, I (we) have hereunto set my (our) hand(s) and seal(s) this 20<sup>th</sup> day of January, 1998.

  
SAM W. BENNETT

  
SUSAN E. BENNETT

STATE OF ALABAMA )

Jefferson COUNTY )

I, the undersigned, a Notary Public in and for said County, in said State hereby certify that Sam W. Bennett and wife, Susan E. Bennett, whose name 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/they executed the same voluntarily on the day the same bears date.

Given under my hand and seal this the 21<sup>th</sup> day of January, 1998.

  
Notary Public  
Inst # 1998-06624

MY COMMISSION EXPIRES: 2/23/2000  
08:13 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 MCD 12.00