

82520-8661 1998-07578

(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:

CHRISTOPHER KEVIN HARTLEY
4661 SANDPIPER LANE
BIRMINGHAM, AL 35244

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 SIXTY FIVE THOUSAND EIGHT HUNDRED and 00/100 (\$165,800.00) DOLLARS to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, TONY RAY SMITH and SALLY H. SMITH, HUSBAND AND WIFE (herein referred to as GRANTORS) do grant, bargain, sell and convey unto CHRISTOPHER KEVIN HARTLEY and CAROL LEE HARTLEY, 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 66, ACCORDING TO THE MAP OF SANDPIPER TRAIL SUBDIVISION, SECTOR II, AS RECORDED IN MAP BOOK 12, PAGES 44, 45, 46 AND 47, 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. Right of way granted to South Central Bell Telephone Company by instrument(s) recorded in Book 172, page 642.
3. Restrictions appearing of record in Book 320, page 499.
4. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges, immunities and release of damages relating thereto as recorded in Volume 36, page 306, Jefferson County, Alabama.
5. 35 foot building line from the front lot line and a 7.5 foot utility easement along the rear and Southwesterly lines, as shown on recorded map.



\$158,450.00 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.

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09:34 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
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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, TONY RAY SMITH and SALLY H. SMITH, HUSBAND AND WIFE, have hereunto set his, her or their signature(s) and seal(s), this the 27th day of February, 1998.


TONY RAY SMITH

SALLY H. SMITH

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that TONY RAY SMITH and SALLY H. SMITH, 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 27th day of February, 1998.


Notary Public

My commission expires: 7/14/98

Inst # 1998-07578

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