

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was prepared by:

SEND TAX NOTICE TO:

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PADEN & PADEN
Attorneys at Law
100 Concourse Parkway, Suite 130
Birmingham, Alabama 35244

THOMAS L. RODGERS, II
117 GROVE HILL DRIVE
MONTEVALLO, AL 35115

Inst # 1998-07599

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 FIFTY FIVE THOUSAND and 00/100 (\$155,000.00) DOLLARS to the undersigned grantor, NATIONAL BANK OF COMMERCE OF BIRMINGHAM, A NATIONAL BANKING ASSOCIATION 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 THOMAS L. RODGERS, II and SHERRI M. RODGERS, 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 17, ACCORDING TO THE SURVEY OF PARK FOREST, SECTOR 7, PHASE 2, AS RECORDED IN MAP BOOK 19, PAGE 169, 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. 35 foot building line as shown by recorded Map.
3. Restrictions as shown by recorded Map.
4. Transmission Line Permit(s) to Alabama Power Company as recorded in Deed Volume 121, page 191 in the Probate Office of Shelby County, Alabama.
5. Mineral and mining rights and rights incident thereto recorded in Deed Volume 122, page 333, Deed Volume 325, page 546 and Real 45, page 210, in the Probate Office of Shelby County, Alabama.
6. Restrictions or Covenants recorded in Instrument 1995-24512, in the Probate Office of Shelby County, Alabama.

\$147,250.00 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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And said GRANTOR does for itself, its successors and assigns, covenant with the said GRANTEEES, 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 GRANTEEES, his, her, or their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said GRANTOR, NATIONAL BANK OF COMMERCE OF BIRMINGHAM, A NATIONAL BANKING ASSOCIATION, by its EXECUTIVE VICE-PRESIDENT, WILLIAM G. SANDERS, JR. who is authorized to execute this conveyance, has hereunto set its signature and seal, this the 26th day of February, 1998.

NATIONAL BANK OF COMMERCE OF BIRMINGHAM

By: William G. Sanders, Jr.

WILLIAM G. SANDERS, JR.,
EXECUTIVE VICE-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 WILLIAM G. SANDERS, JR., whose name as EXECUTIVE VICE-PRESIDENT of NATIONAL BANK OF COMMERCE OF BIRMINGHAM, a National Banking Association, 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 association.

Given under my hand this the 26th day of February, 1998.

Kenneth A. Taylor
Notary Public

My commission expires: 11-6-00

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