

(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:

JAMES D. JOHNSON  
2835 NORTH DRIVE  
HELENA, AL 35080

Inst # 1998-14400

04/22/1998-14400  
09:52 AM CEK 111111  
SHELBY COUNTY JUDGE OF PROBATE  
16.00  
002 SWA

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 THOUSAND and 00/100 (\$100,000.00) DOLLARS to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, THOMAS E. NELSON and CHRIS A. NELSON, HUSBAND AND WIFE (herein referred to as GRANTORS) do grant, bargain, sell and convey unto JAMES D. JOHNSON and ASHIA L. JOHNSON, 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 10, BLOCK 2, ACCORDING TO THE SURVEY OF SHELENA ESTATES, AS RECORDED IN MAP BOOK 5, PAGE 25, 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. MINERAL AND MINING RIGHTS AND RIGHTS INCIDENT THERETO RECORDED IN VOLUME 251, PAGE 189, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
3. EASEMENT FOR ALABAMA POWER COMPANY AND SOUTHERN BELL TELEPHONE AND TELEGRAPH COMPANY, AS RECORDED IN VOLUME 130, PAGE 166 AND VOLUME 130, PAGE 217, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
4. RESTRICTIONS OR COVENANTS RECORDED IN VOLUME 273, PAGE 340 AND VOLUME 283, PAGE 891, 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. RIGHT OF WAY GRANTED TO ALABAMA POWER COMPANY BY INSTRUMENT RECORDED IN VOLUME 251, PAGE 158, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
6. MINERAL AND MINING RIGHTS AND RIGHTS INCIDENT THERETO RECORDED IN VOLUME 273, PAGE 340, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

\$95,000.00 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, THOMAS E. NELSON and CHRIS A. NELSON, HUSBAND AND WIFE, have hereunto set his, her or their signature(s) and seal(s), this the 16th day of April, 1998.

Thomas E. Nelson  
THOMAS E. NELSON

Chris A. Nelson  
CHRIS A. NELSON

STATE OF ALABAMA)  
COUNTY OF SHELBY)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that THOMAS E. NELSON and CHRIS A. NELSON, 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 16th day of April, 1998.

Mary Margaret Hef  
Notary Public

My commission expires:

9/22/2000

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