

THIS INSTRUMENT PREPARED BY:
MAYNARD, COOPER & GALE, P.C.
1901 Sixth Avenue North
2400 AmSouth/Harbert Plaza
Birmingham, AL 35203

SEND TAX NOTICE TO:
DONALD A. THURSTON
2496 Magnolia Place
Birmingham, Alabama 35242

WARRANTY DEED, JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

STATE OF ALABAMA
COUNTY OF SHELBY

KNOW ALL MEN BY THESE PRESENTS,

That in consideration of TWO HUNDRED TWENTY EIGHT THOUSAND AND NO/100--
Dollars (\$ 228,000.00) to the
undersigned grantor or grantors in hand paid by the GRANTEES
herein, the receipt whereof is acknowledged, I, **STEVEN H. BUSH an**
unmarried man (herein referred to as GRANTORS) do grant, bargain,
sell and convey unto DONALD A. THURSTON AND MARY E. THURSTON
(herein referred to as GRANTEES) as joint
tenants, with right of survivorship, the following described real
estate situated in Shelby County, Alabama, to-wit:

Lot 1, according to the Survey of The Magnolias at Brook
Highland, an Eddleman Community, as recorded in Map Book
13, Page 102 A & B, in the Probate Office of Shelby
County, Alabama.

SUBJECT TO:

1. All taxes due in the year 1998 and thereafter.
2. Declaration of protective covenants, agreements, easements, charges and liens as recorded in Book 263, Page 551, along with the Articles of Incorporation of The Magnolias at Brook Highland Homeowners Association, Inc., in Book 263, Page 578, and By-Laws related thereto in Book 263, Page 586.
3. Easement to The Water Works and Sewer Board of the City of Birmingham in Book 253, Page 817.
4. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto, together with any release of liability for injury or damage to persons or property as a result of the exercise of such rights as recorded in Deed Book 327, Page 553, and Deed Book 32, Page 182.
5. Notice is hereby given that the recorded subdivision map as recorded in Map Book 13, Page 102 A & B, contains on the face of same a statement pertaining to natural lime sink holes.
6. Restrictions appears of record in Instrument #1992-26250 and as shown on the recorded map.
7. Drainage easement as set out in Book 125, Page 238.
8. Agreements regarding "Watershed Property" as shown on instrument recorded in Book 194, Page 54.
9. Easement for a sign recorded in Instrument #1992-14891.
10. Release of damages as recorded in Instrument #1992-26250.
11. A 25' building line from Magnolia Place and rear lot line, as shown on the recorded map.

\$ 205200.00 of the total consideration recited above
was paid from the proceeds of a mortgage loan closed
simultaneously herewith.

NOTE: THE SUBJECT PROPERTY DOES NOT CONSTITUTE THE HOMESTEAD OR RESIDENCE
OF THE GRANTORS SPOUSE.

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SHELBY COUNTY DEED OF PROBATE
2002 FEB 24.00

Inst # 1998-17822

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 do for myself and for my heirs, executors, and administrators covenant with the said GRANTEES, their heirs and assigns, that I am lawfully seized in fee simple of said premises; that it is free from all encumbrances, unless otherwise noted above; that I have a good right to sell and convey the same as aforesaid; that I will and my 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 have hereunto set my hand and seal this 21st day of April, 1998.

Steven H. Bush
STEVEN H. BUSH

STATE OF California
COUNTY OF Monterey

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that **STEVEN H. BUSH** an unmarried man, whose name 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 executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 21st day of April, 1998.

Teresa Babbitt
NOTARY PUBLIC

My Commission Expires: 12/29/00

(SEAL)



Inst # 1998-17822

05/14/1998-17822
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SHELBY COUNTY JUDGE OF PROBATE
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