

(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:

RICHARD K. MCFALLS
20 THE OAKS CIRCLE
HOOVER, AL 35244

Inst # 1998-49898

STATE OF ALABAMA)

COUNTY OF SHELBY)

12/13/1998-49898

11:23 AM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE
200.50

JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

WARRANTY DEED

Know All Men by These Presents: That in consideration of TWO HUNDRED TWENTY FOUR THOUSAND FIVE HUNDRED and 00/100 (\$224,500.00) DOLLARS to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, DONALD H. MYERS and BARBARA E. MYERS, HUSBAND AND WIFE (herein referred to as GRANTORS) do grant, bargain, sell and convey unto RICHARD K. MCFALLS AND JOYCE M. MCFALLS, 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 20, TOGETHER WITH AN UNDIVIDED 1/43RD INTEREST IN LOT 44 (COMMON AREA), ACCORDING TO THE MAP OF THE OAKS, RECORDED IN MAP BOOK 10, PAGE 89, IN THE OFFICE OF THE JUDGE OF PROBATE OF SHELBY COUNTY, ALABAMA.

SUBJECT TO:

1. TAXES FOR THE YEAR BEGINNING OCTOBER 1, 1998 WHICH CONSTITUTES A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 1999.
2. EASEMENTS, OR CLAIMS OF EASEMENTS, NOT SHOWN BY THE PUBLIC RECORDS.
3. ROADWAY EASEMENT AND AGREEMENT AS TO COMMON AREA AS RECORDED IN REAL VOLUME 117, PAGE 24.
4. RIGHT OF WAY GRANTED TO SOUTH CENTRAL BELL TELEPHONE COMPANY BY INSTRUMENT RECORDED IN BIRMINGHAM REAL VOLUME 3014, PAGE 744.
5. DECLARATION OF PROTECTIVE COVENANTS, AGREEMENT, EASEMENTS, CHARGES AND LIENS FOR RIVERCHASE (RESIDENTIAL) APPEARING OF RECORD IN MISC. BOOK 14, PAGE 536 AND MISC. BOOK 17, PAGE 550.
6. LESS AND EXCEPT ANY PORTION OF SUBJECT PROPERTY LYING WITHIN THE CAHABA RIVER (AS TO COMMON AREA).
7. EASEMENTS AND DISCLAIMER OF RESPONSIBILITY BY THE CITY OF HOOVER AND EASEMENTS AS TO COMMON AREA, AS SHOWN ON RECORDED MAP.
8. 2 FOOT EASEMENT FOR PUBLIC UTILITIES ACROSS NORTHERLY LOT LINE; EASEMENT OF UNDETERMINED WIDTH FOR INGRESS AND EGRESS AND PUBLIC UTILITIES ACROSS SUBJECT PROPERTY AS SHOWN ON RECORDED MAP.

9. TITLE TO ALL MINERALS WITHIN AND UNDERLYING THE PREMISES, TOGETHER WITH ALL MINING RIGHTS AND OTHER RIGHTS, PRIVILEGES AND IMMUNITIES RELATING THERETO, INCLUDING RELEASE OF DAMAGES, AS RECORDED IN VOLUME 127, PAGE 140.
10. DECLARATION OF PROTECTIVE COVENANTS, EASEMENTS, CHARGES, RIGHTS AND LIENS AS RECORDED IN REAL VOLUME 122, PAGE 184.
11. EASEMENTS, RESTRICTIONS AND AGREEMENT AS SET FORTH IN DEED BOOK 312, PAGE 261 THROUGH 270, INCLUSIVE.

\$35,000.00 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, DONALD H. MYERS and BARBARA E. MYERS, HUSBAND AND WIFE, have hereunto set his, her or their signature(s) and seal(s), this the 4th day of November, 1998.


DONALD H. MYERS



BARBARA E. MYERS

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that DONALD H. MYERS and BARBARA E. MYERS, 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 4th day of November, 1998.


Notary Public • 1998-49838

My commission expires: 9 29 02

12/15/1998-49838
11:23 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 CRH 200.50