

Inst # 1999-24541

06/10/1999-24541
03:15 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was
prepared by:

R. Shan Paden
PADEN & PADEN
Attorneys at Law
5 Riverchase Ridge, Suite 100
Birmingham, Alabama 35244

SEND TAX NOTICE TO:

TERRI BEHRMAN PUSTILNIK
204 AUBURN RD
INDIAN SPRINGS, ALABAMA 35124

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 SEVENTY NINE THOUSAND NINE HUNDRED and 00/100 (\$179,900.00) DOLLARS to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, JOHN K. WHITFIELD and PAULETTE C. WHITFIELD, HUSBAND AND WIFE (herein referred to as GRANTORS) do grant, bargain, sell and convey unto STEPHEN M. PUSTILNIK AND TERRI BEHRMAN PUSTILNIK, 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 12, ACCORDING TO THE SURVEY OF SECTOR TWO, SPRING GARDEN ESTATES, AS RECORDED IN MAP BOOK 5, PAGE 12, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

SUBJECT TO:

1. TAXES FOR THE YEAR BEGINNING OCTOBER 1, 1998 WHICH CONSTITUTES A LIEN BUT ARE NOT YET PAYABLE UNTIL OCTOBER 1, 1999.
2. RESTRICTIONS AS SHOWN ON RECORDED MAP.
3. EASEMENT(S) AND BUILDING LINE AS SHOWN ON RECORDED MAP.
4. RESTRICTIONS AND COVENANTS APPEARING OF RECORD IN SHELBY DEED 245, PAGE 297, SHELBY DEED 245, PAGE 784, INS. NO. 1998-11934 AND INST. NO. 1998-18045.
5. RIGHT-OF-WAY GRANTED TO ALABAMA POWER COMPANY RECORDED IN DEED BOOK 101, PAGE 519, DEED BOOK 180, PAGE 288, DEED BOOK 219, PAGE 734 AND DEED BOOK 220, PAGE 358.
6. 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.

7. RIGHT-OF-WAY GRANTED TO ALABAMA POWER COMPANY AND SOUTHERN BELL TELEPHONE AND TELEGRAPH COMPANY RECORDED IN DEED BOOK 219, PAGE 374.
8. RIGHT-OF-WAY GRANTED TO SHELBY COUNTY RECORDED IN DEED BOOK 135, PAGE 6.
9. EASEMENT TO STATE HIGHWAY DEPARTMENT IN DEED BOOK 134, PAGE 249.

\$170,923.00 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, JOHN K. WHITFIELD and PAULETTE C. WHITFIELD, HUSBAND AND WIFE, have hereunto set his, her or their signature(s) and seal(s), this the 28th day of May, 1999.


JOHN K. WHITFIELD


PAULETTE C. WHITFIELD

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that JOHN K. WHITFIELD and PAULETTE C. WHITFIELD, 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 28th day of May, 1999.


Notary Public

My commission expires: 7/11/02

Notary # 1999-24541

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