

4854

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was prepared by:

SEND TAX NOTICE TO:

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

RICHARD E. RUSHING, JR.
2216 OLD CAHABA PLACE
HELENA, AL 35080

Inst # 1999-37892

09/09/1999-37892
10:58 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 CRN 37.50

STATE OF ALABAMA)

COUNTY OF SHELBY)

JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

WARRANTY DEED

Know All Men by These Presents: That in consideration of TWO HUNDRED SIXTY FIVE THOUSAND and 00/100 (\$265,000.00) DOLLARS to the undersigned grantor, ROYAL CONSTRUCTION & DEVELOPMENT CO., INC. 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 RICHARD E. RUSHING, JR. and MYLEND A F. RUSHING, 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 415, ACCORDING TO THE AMENDED MAP OF OLD CAHABA, LAKEWOOD SECTOR, AS RECORDED IN MAP BOOK 25, PAGE 26, 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 DUE AND PAYABLE UNTIL OCTOBER 1, 1999.
2. 20 FOOT BUILDING LINE AS SHOWN ON RECORDED MAP.
3. RESTRICTIONS AS SHOWN ON RECORDED MAP.
4. RIGHT-OF-WAY GRANTED TO ALABAMA POWER COMPANY RECORDED IN DEED VOLUME 247, PAGE 853, DEED VOLUME 131, PAGE 447 & DEED VOLUME 139, PAGE 238.
5. TITLE TO ALL MINERALS WITHIN AND UNDERLYING THE PREMISES, TOGETHER WITH ALL MINING RIGHTS AND OTHER RIGHTS, PRIVILEGES AND IMMUNITIES RELATING THERETO AS RECORDED IN INST. #1992-5494.

\$238,500.00 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 said GRANTOR does for itself, its successors and assigns, covenant with the said GRANTEES, 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 GRANTEES, his, her, or their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said GRANTOR, ROYAL CONSTRUCTION & DEVELOPMENT CO., INC., by its PRESIDENT, NATHAN GILBERT who is authorized to execute this conveyance, has hereunto set its signature and seal, this the 30th day of August, 1999.

ROYAL CONSTRUCTION & DEVELOPMENT CO. INC.

By: 
NATHAN GILBERT, PRESIDENT

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that NATHAN GILBERT, whose name as PRESIDENT of ROYAL CONSTRUCTION & DEVELOPMENT CO., INC., a corporation, 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 corporation.

Given under my hand this the 30TH day of AUGUST, 1999.


Notary Public

My commission expires: 9.29.02

Inst # 1999-37892

09/09/1999-37892
10:58 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 CRH 37.50