

4898

(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:

DAVID RAY BAIRD
2301 TWELVE OAKS DRIVE
HOOVER, AL 35244

Inst # 1999-41750

10/07/1999-41750
08:42 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
SW 205 366.00

STATE OF ALABAMA)

COUNTY OF SHELBY)

JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

WARRANTY DEED

Know All Men by These Presents: That in consideration of FIVE HUNDRED FIFTEEN THOUSAND and 00/100 (\$515,000.00) DOLLARS to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, A. LESTER BURBIC, JR., A MARRIED MAN DBA NINE ACRE DEVELOPMENT, (herein referred to as GRANTORS) do grant, bargain, sell and convey unto DAVID RAY BAIRD and SUSAN TRANT BAIRD, 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 3601, ACCORDING TO THE SURVEY OF RIVERCHASE COUNTRY CLUB, 36TH ADDITION, AS RECORDED IN MAP BOOK 21, PAGE 37, 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. EASEMENT OVER THE REAR 10 FEET OF SAID PARCEL FOR PUBLIC UTILITIES, SANITARY SEWERS, STORM SEWERS, STORM DITCHES AS SHOWN ON RECORDED MAP.
3. 35 FOOT BUILDING RESTRICTION LINE FROM TWELVE OAK DRIVE AND FROM CHESTNUT OAK DRIVE AS SHOWN ON RECORDED MAP.
4. NOTES AND RESTRICTIONS AS SET OUT ON RECORDED MAP.
5. COVENANTS, CONDITIONS, RESTRICTIONS, LIMITATIONS, EASEMENTS AND LIENS FOR ASSESSMENTS SET FORTH IN INSTRUMENT RECORDED IN MISC. VOLUME 14, PAGE 536; MISC. VOLUME 17, PAGE 550; MISC. VOLUME 34, PAGE 549; INSTRUMENT NUMBER 1996-20438; INSTRUMENT #1996-20439 AND INSTRUMENT #1996-20903.
6. RESTRICTIVE AGREEMENTS AND GRANT OF LAND EASEMENT TO ALABAMA POWER COMPANY RECORDED UNDER INSTRUMENT #1998-34351.

7. 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 DEED BOOK 127, PAGE 140.
8. RELEASE OF DAMAGES RECORDED UNDER INSTRUMENT NUMBER 1996-20438 AND UNDER INSTRUMENT NUMBER 1996-20439.

SUBJECT PROPERTY DOES NOT CONSTITUTE THE HOMESTEAD OF THE GRANTOR NOR HIS RESPECTIVE SPOUSE.

\$240,000.00 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, A. LESTER BURBIC, JR., A MARRIED MAN DBA NINE ACRE DEVELOPMENT, have hereunto set his, her or their signature(s) and seal(s), this the 30th day of September, 1999.

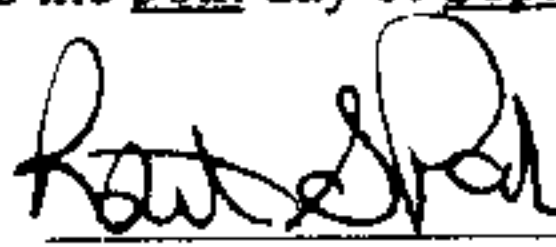

A. LESTER BURBIC, JR.
DBA NINE ACRE DEVELOPMENT

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that A. LESTER BURBIC, JR., A MARRIED MAN DBA NINE ACRE DEVELOPMENT, 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 30th day of September, 1999.


Notary Public

My commission expires: 7/11/02

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SHELBY COUNTY JUDGE OF PROBATE
302 MMS 286.00