

4891

(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:

ROBERT O. GUTHRIE
6530 QUAIL RUN DRIVE
PELHAM, AL 35124

Inst # 1999-41766

10/07/1999-41766
08:42 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE

105.00

STATE OF ALABAMA)

COUNTY OF SHELBY)

JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

WARRANTY DEED

Know All Men by These Presents: That in consideration of TWO HUNDRED ONE THOUSAND NINE HUNDRED and 00/100 (\$201,900.00) DOLLARS to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, STEPHEN R. HAYES and CAROLYN A. HAYES, HUSBAND AND WIFE (herein referred to as GRANTORS) do grant, bargain, sell and convey unto ROBERT O. GUTHRIE and ALISON V. GUTHRIE, (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 26, ACCORDING TO THE SURVEY OF QUAIL RUN, AS RECORDED IN MAP BOOK 7, PAGE 22, 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. 35-FOOT BUILDING SETBACK LINE FROM QUAIL RUN AND 7.5-FOOT EASEMENT ON REAR OF LOT AS SHOWN ON RECORDED MAP OF SAID SUBDIVISION.
3. COVENANTS, CONDITIONS, AND RESTRICTIONS AS SET FORTH IN INSTRUMENT DOCUMENT RECORDED IN MISC. BOOK 22, PAGE 638.
4. TRANSMISSION LINE PERMITS TO ALABAMA POWER COMPANY AS RECORDED IN DEED BOOK 101, PAGE 523; DEED BOOK 216, PAGE 103; AND DEED BOOK 310, PAGE 572.
5. RESERVATION OF MINERAL AND MINING RIGHTS IN THE INSTRUMENT RECORDED IN DEED BOOK 295, PAGE 365, TOGETHER WITH THE APPURTENANT RIGHTS TO USE THE SURFACE.
6. AGREEMENT WITH ALABAMA POWER COMPANY AS RECORDED IN MISC. BOOK 22, PAGE 834.
7. EASEMENT AS TO UNDERGROUND CABLES AS RECORDED IN MISC. BOOK 22, PAGE 841.

\$110,000.00 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, STEPHEN R. HAYES and CAROLYN A. HAYES, HUSBAND AND WIFE, have hereunto set his, her or their signature(s) and seal(s), this the 24th day of September, 1999.


STEPHEN R. HAYES


CAROLYN A. HAYES

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that STEPHEN R. HAYES and CAROLYN A. HAYES, 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 24th day of September, 1999.


Notary Public

My commission expires: 7/1/02

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002 WMS 103.00