

49117

(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:

FRED C. NIEMEYER
439 CHASE PLANTATION PARKWAY
HOOVER, AL 35244

Inst # 1999-43269

STATE OF ALABAMA)
COUNTY OF SHELBY)

10/19/1999-43269
11:12 AM CERTIFIED
JUDGE OF PROBATE
002 C31 152.00

**JOINT TENANTS WITH RIGHT OF SURVIVORSHIP
WARRANTY DEED**

Know All Men by These Presents: That in consideration of ONE HUNDRED FORTY ONE THOUSAND and 00/100 (\$141,000.00) DOLLARS to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, J. CLINTON MOORE and RUTH C. MOORE, HUSBAND AND WIFE (herein referred to as GRANTORS) do grant, bargain, sell and convey unto FRED C. NIEMEYER and IMA M. NIEMEYER, 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 39, ACCORDING TO THE SURVEY OF CHASE PLANTATION, FOURTH SECTOR, AS RECORDED IN MAP BOOK 9, PAGE 156, I N THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

SUBJECT TO:

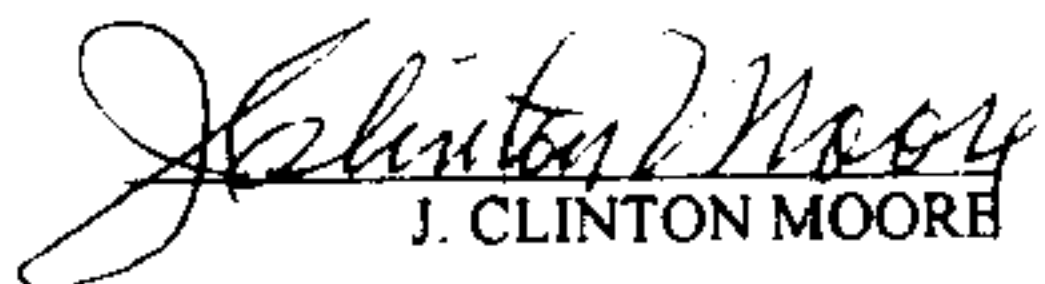
1. TAXES FOR THE YEAR BEGINNING OCTOBER 1, 1999 WHICH CONSTITUTES A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 2000.
2. ANY LOSS, CLAIM, DAMAGE, OR EXPENSE INCLUDING ADDITIONAL TAX DUE, IF ANY, ARISING FROM OR DUE TO THE FACT THAT AD VALOREM TAXES FOR SUBJECT PROPERTY HAVE BEEN PAID UNDER A CURRENT USE ASSESSMENT.
3. SET BACK LINES AND EASEMENTS AS SHOWN ON RECORDED MAP OF SAID SUBDIVISION.
4. OIL, GAS, PETROLEUM AND SULFUR MINERALS RECORDED IN DEED BOOK 127, PAGE 140 IN PROBATE OFFICE.
5. TRANSMISSION LINE PERMITS TO ALABAMA POWER COMPANY RECORDED IN DEED BOOK 127, PAGE 407; DEED BOOK 151, PAGE 451; DEED BOOK 332, PAGE 554 AND REAL BOOK 65, PAGE 1 IN PROBATE OFFICE.
6. DECLARATION OF PROTECTIVE COVENANTS, AGREEMENTS, EASEMENTS, CHARGES & LIENS FOR RIVERCHASE (RESIDENTIAL), RECORDED IN MISC. BOOK 14, PAGE 536 AND AMENDED RESTRICTIONS RECORDED IN MISC. BOOK 17, PAGE 440 IN PROBATE OFFICE.
7. RESTRICTION TO USE AS RESIDENTIAL TOWNHOUSES IN ITEM 6 OF DEED RECORDED IN DEED BOOK 335, PAGE 175 AND DEED BOOK 356, PAGE 358.

8. RESTRICTIONS AS TO SQUARE FOOTAGE AS SHOWN IN ITEM 7 OF DEED RECORDED IN DEED BOOK 335, PAGE 175 AND DEED BOOK 356, PAGE 358.
9. EASEMENTS AS SHOWN ON SURVEY OF LAURENCE D. WEYGAND REG. CE. & LS. #10373, DATED SEPTEMBER 18, 1981 AND REVISED SEPTEMBER 24, 1981 AS DATED MAY 16, 1984 AND AS RESERVED IN ITEM 8 OF DEEDS RECORDED IN DEED BOOK 335, PAGE 175 AND DEED BOOK 356, PAGE 358.
10. EASEMENT TO HARBERT EQUITABLE JOINT VENTURE RECORDED IN DEED BOOK 335, PAGE 158 IN PROBATE OFFICE.
11. RESTRICTIVE COVENANTS RECORDED IN REAL BOOK 66, PAGE 616 IN PROBATE OFFICE.
12. AGREEMENT WITH ALABAMA POWER COMPANY RECORDED IN REAL 69, PAGE 455 IN PROBATE OFFICE.
13. EASEMENTS AS TO UNDERGROUND CABLES RECORDED IN REAL BOOK 69, PAGE 458 IN PROBATE OFFICE.

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, J. CLINTON MOORE and RUTH C. MOORE, HUSBAND AND WIFE, have hereunto set his, her or their signature(s) and seal(s), this the 12th day of October, 1999.


J. CLINTON MOORE

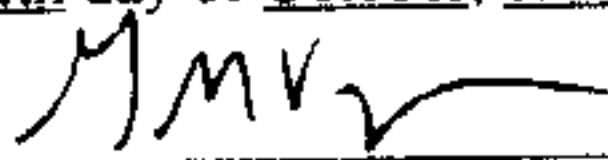

RUTH C. MOORE

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that J. CLINTON MOORE and RUTH C. MOORE, 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 12th day of October, 1999.


Notary Public

My commission expires: 9.29.02

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SHELBY COUNTY JUDGE OF PROBATE
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