

WARRANTY DEED, JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

**STATE OF ALABAMA)
COUNTY OF SHELBY)**

KNOW ALL MEN BY THESE PRESENTS, that in consideration of **Two Hundred Twenty Five Thousand & No/100 Dollars (\$225,000.00)** and other good and valuable consideration to the undersigned grantor in hand paid by the grantees herein, the receipt whereof is acknowledged, **Mildred C. Horst**, an unmarried woman (herein referred to as "**Grantor**") grants, bargains, sells and conveys unto **William W. Cunningham, III and Michele B. Cunningham**, husband and wife (herein referred to as "**Grantees**") as joint tenants, with right of survivorship, the following described real estate situated Shelby County, Alabama to wit:

See Exhibit A attached hereto and incorporated herein by reference.

SUBJECT TO AND EXCEPT FOR:

1. 2000 Ad Valorem Taxes.
2. Minerals and mining rights not owned by the Grantor and present zoning.
3. Utility easements, residential subdivision covenants and building lines of record.

NOTE: **Mildred C. Horst is the surviving grantee in that certain deed recorded in Deed Volume 196, Page 147, Omar L. Horst, having died on or about October 9, 1985.**

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 herself, her heirs and assigns covenant with said Grantees their heirs and assigns, that she is lawfully seized in fee simple of said premises, that they are free from all encumbrances unless otherwise noted above, that she has a good right to sell and convey the same as aforesaid, and that she will, and her heirs and assigns shall, warrant and defend the same to the said Grantees, their heirs, executors and assigns forever, against the lawful claims of all persons.

Inst # 2000-08534

**03/17/2000-08534
10:03 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 MMS 238.50**

IN WITNESS WHEREOF, the said Grantor has executed this conveyance, this the 15th day of March, 2000.

Mildred C. Horst

Mildred C. Horst

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that **Mildred C. Horst** whose name 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 she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 15th day March, 2000.

W. J. Sullivan, Jr.

Notary Public

My Commission Expires: 6-1-02

THIS INSTRUMENT PREPARED BY:

James E. Vann, Esquire
Johnston & Conwell, L.L.C.
800 Shades Creek Parkway
Suite 325
Birmingham, AL 35209
(205) 414-1212

SEND TAX NOTICE TO:

Mr. and Mrs. William W. Cunningham, III
2693 Alta Glen Drive
Birmingham, AL 35243

EXHIBIT A

Beginning at the SW corner of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 3, Township 20 South, Range 1 West, Shelby County, Alabama, said point being the point of beginning; thence North $00^{\circ}54'15''$ East, a distance of 1,326.41 feet; thence South $89^{\circ}52'40''$ East, a distance of 1,316.52 feet; thence South $00^{\circ}53'33''$ West, a distance of 1,320.14 feet; thence South $89^{\circ}50'59''$ West, a distance of 1,316.88 feet to the point of beginning.

Inst # 2000-08534

03/17/2000-08534
10:03 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 HNS 238.50