

5358

(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

STEPHEN SMITH
151 LAKE DAVIDSON LANE
HELENA. AL 35080

Inst # 2000-28036

08/17/2000-28036
08:35 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 CJH 149.00

STATE OF ALABAMA)

COUNTY OF SHELBY)

JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

WARRANTY DEED

Know All Men by These Presents: That in consideration of ONE HUNDRED THIRTY SEVEN THOUSAND NINE HUNDRED and 00/100 (\$137,900.00) DOLLARS to the undersigned grantor, AJK CONSTRUCTION, 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 STEPHEN SMITH and KELLY SMITH, 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 36, ACCORDING TO THE SURVEY OF OLD TOWN HELENA, AS RECORDED IN MAP BOOK 22, PAGE 26 IN 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 PRIOR RESERVATION OR CONVEYANCE, TOGETHER WITH RELEASE OF DAMAGES OF MINERALS OF EVERY KIND AND CHARACTER, INCLUDING, BUT NOT LIMITED TO GAS, OIL, SAND, AND GRAVEL IN, ON AND UNDER SUBJECT PROPERTY.
3. BUILDING SETBACK LINE OF 15 FEET RESERVED FROM LAKE DAVIDSON LANE AS SHOWN BY PLAT.
4. RESTRICTIONS, COVENANTS AND CONDITIONS AS SET OUT IN INSTRUMENT(S) RECORDED IN INST. #1997-9763 IN PROBATE OFFICE.
5. TRANSMISSION LINE PERMIT(S) TO ALABAMA POWER COMPANY AS SHOWN BY INSTRUMENT(S) RECORDED IN DEED BOOK 42 PAGE 629 IN PROBATE OFFICE.
6. RIGHT(S)-OF-WAY(S) GRANTED TO L&N RAILROAD BY INSTRUMENT(S) RECORDED IN DEED BOOK 42 PAGE 629 IN PROBATE OFFICE.
7. EASEMENT(S) TO AT&T AS SHOWN BY INSTRUMENT RECORDED IN REAL 184 PAGE 22 IN PROBATE OFFICE.
8. EASEMENT(S) TO TOWN OF HELENA AS SHOWN BY INSTRUMENT RECORDED IN DEED BOOK 187 PAGE 390; DEED BOOK 307 PAGE 815 AND DEED BOOK 310 PAGE 976 IN PROBATE OFFICE.

9. RESTRICTIONS, LIMITATIONS AND CONDITIONS AS SET OUT IN MAP BOOK 22
PAGE 367.

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, AJK CONSTRUCTION, INC., by its PRESIDENT, JAMES KIRBY who is authorized to execute this conveyance, has hereunto set its signature and seal, this the 11th day of August, 2000.

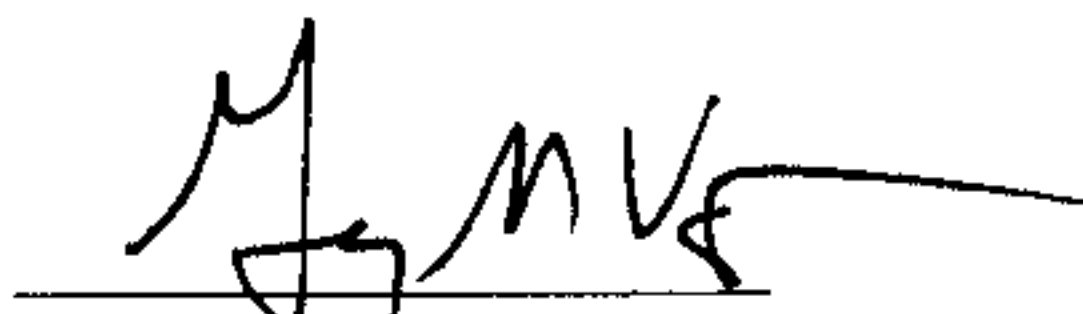
AJK CONSTRUCTION, INC.
By: 
JAMES KIRBY, PRESIDENT

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that JAMES KIRBY, whose name as PRESIDENT of AJK CONSTRUCTION, 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 11th day of August, 2000.


Notary Public

My commission expires: 9.29.00

Inst # 2000-28036

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SHELBY COUNTY JUDGE OF PROBATE
002 C31 149.00