

R0010-0091

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was
prepared by:

NAJJAR DENABURG, P.C.
Attorneys at Law
2125 Morris Avenue
Birmingham, Alabama 35203

SEND TAX NOTICE TO:

MATTHEW W. HOWERTON
245 ARBOR COURT
STERRETT, ALABAMA 35147

Inst # 2000-40319

11/21/2000-40319
11:12 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 C01 212.00

STATE OF ALABAMA)

COUNTY OF JEFFERSON)

WARRANTY DEED
JOINTLY WITH RIGHT OF SURVIVORSHIP

Know All Men by These Presents: That in consideration of **ONE HUNDRED NINETY FOUR THOUSAND NINE HUNDRED AND NO/100 DOLLARS (\$194,900.00) DOLLARS** to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, **SIMIAN LAND, L.L.C.** (herein referred to as GRANTORS) do grant, bargain, sell and convey unto **MATTHEW W. HOWERTON AND KAREN L. HOWERTON, HUSBAND AND WIFE**, (herein referred to as GRANTEES, whether one or more) the following described real estate, situated in ~~JEFFERSON~~ County, Alabama, to-wit:

SHELBY

SEE EXHIBIT ?A? ATTACHED HERETO.

SUBJECT TO:

1. Subject to the taxes for the year beginning October 1, 2000, which constitutes a lien, but are not yet due and payable until October 1, 2001.
2. Right of way granted to Alabama Power Company by instrument recorded in Deed Bppl 236, page 825; Deed Book 139, page 127; Deed Book 133, page 210; Deed Book 126, pages 191, 192 and 323 and Deed Book 124, page 519, in the Probate Office of Shelby County, Alabama.
3. Mineral and mining rights and rights incident thereto and release of damages recorded in Volume 53, page 262 in the Probate Office of Shelby County, Alabama.
4. Declaration of Protective Covenants recorded in Instrument 1999-32467, in the Probate Office of Shelby County, Alabama.

\$175,400.00 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 GRANTOR, **SIMIAN LAND, L.L.C.**, by its **MANAGING MEMBER, WALTER WILSON** who is authorized to execute this conveyance, has hereunto set its signature and seal, this the **27TH** day of **OCTOBER, 2000**.

SIMIAN LAND, L.L.C.

By: 

WALTER WILSON

Its: Managing Member

STATE OF ALABAMA)
COUNTY OF **JEFFERSON**)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that **WALTER WILSON**, whose name as **MANAGING MEMBER** of **SIMIAN LAND, L.L.C.** a limited liability company, 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 company.

Given under my hand this the **27TH** day of **OCTOBER, 2000**.


Notary Public

My commission expires 05/03/02

EXHIBIT "A"

LOT 1004, ACCORDING TO THE SURVEY OF ARBORES OF FOREST PARK, AS
RECORDED IN MAP BOOK 25, PAGE 146, IN THE PROBATE OFFICE OF SHELBY
COUNTY, ALABAMA.

Inst # 2000-40319

11/21/2000-40319
11:12 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 CJ1 212.00