

R0104-0283

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was
prepared by:

Jon M. Turner, Jr.
NAJJAR DENABURG, P.C.
Attorneys at Law
2125 Morris Avenue
Birmingham, Alabama 35203

SEND TAX NOTICE TO:

DON G. LEITHAUSER, JR.
101 ARBOR WAY
STERRETT, ALABAMA 35147

Inst # 2001-16892

05/01/2001-16892
09:24 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
35.00
002 CJ1

STATE OF ALABAMA)

COUNTY OF JEFFERSON)

WARRANTY DEED
JOINTLY WITH RIGHT OF SURVIVORSHIP

Know All Men by These Presents: That in consideration of **TWO HUNDRED NINE THOUSAND AND NO/100 DOLLARS (\$209,000.00) 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 GRANTOR) do grant, bargain, sell and convey unto **DON G. LEITHAUSER, JR. AND JULIE T. LEITHAUSER, HUSBAND AND WIFE**, (herein referred to as GRANTEES, whether one or more) the following described real estate, situated in **SHELBY** County, Alabama, to-wit:

LOT 1001, ACCORDING TO THE SURVEY OF THE ARBORES OF FOREST PARKS, AS RECORDED IN MAP BOOK 25, PAGE 146, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

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. Restrictions as shown by recorded Map.
3. Sign and landscape easement, as shown by recorded Map.
4. Easement on front of undetermined width, as shown by recorded Map.
5. Restrictions appearing of recorded in Instrument 1999-32467, in the Probate Office of Shelby County, Alabama.
6. 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.
7. Right of Way granted to Alabama Power Company by instrument recorded in Volume 236, page 825; Volume 139, page 127; Volume 133, page 210; Volume 126, page 191; Volume 192, page 323 and Volume 124, page 519, in the Probate Office of Shelby County, Alabama.


\$188,100.00 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 19th day of April, 2001.

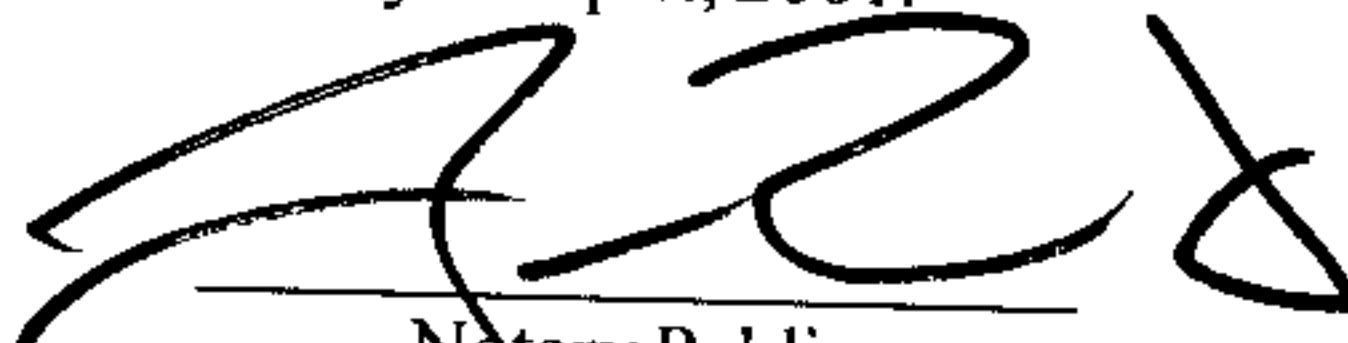
SIMIAN LAND, L.L.C.
By: 
Walter Wilson
Its: Managing Member

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 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 19th day of April, 2001.


Notary Public

My commission expires: 05/31/02

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