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(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

JIM SPITZMILLER  
324 SAVANNAH CIRCLE  
CALERA, AL 35040

Inst # 2001-25523

06/21/2001-25523  
08:37 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 CJ1 47.50

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 SIXTY SEVEN THOUSAND FIVE HUNDRED DOLLARS and 00/100 (\$167,500.00) DOLLARS to the undersigned grantor, CLASSIC AMERICAN HOMES, 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 JIM SPITZMILLER and KAREN SPITZMILLER, 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 422, ACCORDING TO THE SURVEY OF SAVANNAH POINTE, SECTOR V, PHASE I, AS RECORDED IN MAP BOOK 26, PAGE 50, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

LESS AND EXCEPT:

1. Coal, oil, gas and other mineral interests in, to or under the land herein described are not insured.

SUBJECT TO:

2. Payment of all taxes, charges, assessments, levied and assessed against subject premises, for the year 2001, which are not yet due and payable.
3. 35 foot building line, as shown by recorded map.
4. Restrictions as shown on recorded map.
5. Restrictions or covenants recorded in Instrument 2000/01055, in the Probate Office of Shelby County, Alabama, but omitting any covenant or restriction based on race, color, religion, sex, handicap, familial status, or national origin.

\$134,000.00 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 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, CLASSIC AMERICAN HOMES, INC., AN ALABAMA CORPORATION, by its PRESIDENT, JOHN W. BROCK who is authorized to execute this conveyance, has hereunto set its signature and seal, this the 30th day of May, 2001.

CLASSIC AMERICAN HOMES, INC.

By:   
JOHN W. BROCK, 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 JOHN W. BROCK, whose name as PRESIDENT of CLASSIC AMERICAN HOMES, 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 30th day of May, 2001.

  
Notary Public

My commission expires: 7/4/02

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