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(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was  
prepared by:

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PADEN & PADEN  
Attorneys at Law  
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SEND TAX NOTICE TO:

GRANT MOORE  
820 MILL SPRINGS PLACE  
BIRMINGHAM, AL 35244

Inst # 2001-32893

08/07/2001-32893  
07:10 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 CH 163.00

STATE OF ALABAMA)

COUNTY OF SHELBY)

### JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

### WARRANTY DEED

**Know All Men by These Presents:** That in consideration of THREE HUNDRED FORTY NINE THOUSAND and 00/100 (\$349,000.00) DOLLARS to the undersigned grantor, H & P CUSTOM 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 GRANT MOORE and JANIS M. MOORE, 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 41, ACCORDING TO THE SURVEY OF MILL SPRINGS ESTATES - 3<sup>RD</sup> SECTOR, AS RECORDED IN MAP BOOK 26, PAGE 88, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

#### SUBJECT TO:

1. TAXES FOR THE YEAR BEGINNING OCTOBER 1, 2000 WHICH CONSTITUTES A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 2001.
2. EASEMENTS, OR CLAIMS OF EASEMENTS, NOT SHOWN BY THE PUBLIC RECORDS.
3. NOTES, TREE CONSERVATION AREA AND RESTRICTIONS AS SHOWN ON RECORDED MAP.
4. RESTRICTIONS AND COVENANTS APPEARING OF RECORDED UNDER INSTRUMENT NUMBER 2000-280.
5. RIGHT OF WAY GRANTED SHELBY COUNTY RECORDED IN VOLUME 216, PAGE 24.
6. RIGHT OF WAY GRANTED ALABAMA POWER COMPANY RECORDED UNDER INSTRUMENT #2000-23198; VOLUME 101, PAGE 570 AND VOLUME 220, PAGE 67.
7. TITLE TO ALL MINERALS WITHIN AND UNDERLYING THE PREMISES, TOGETHER WITH ALL MINING RIGHTS AND OTHER RIGHTS, PRIVILEGES AND IMMUNITIES RELATING THERETO AS RECORDED UNDER INSTRUMENT #2000-38681.
8. RIGHTS, CONDITIONS AND RELEASE OF DAMAGES AS RECORDED UNDER INSTRUMENT #1997-23616.

9. 35 FOOT BUILDING RESTRICTION LINE FROM MILL SPRINGS PLACE AS SHOWN ON RECORDED MAP.

\$200,000.00 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, H & P CUSTOM HOMES, INC., by its PRESIDENT, JIMMIE E. PARKER who is authorized to execute this conveyance, has hereunto set its signature and seal, this the 31st day of July, 2001.

H & P CUSTOM HOMES, INC.

By:   
JIMMIE E. PARKER, 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 JIMMIE E. PARKER, whose name as PRESIDENT of H & P CUSTOM 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 31st day of July, 2001.

  
\_\_\_\_\_  
Notary Public

My commission expires: 9.29.01

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