

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was prepared by:

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Attorneys at Law  
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SEND TAX NOTICE TO:

SCOTT P. SUTHERLAND  
4806 PINEHURST DRIVE  
HELENA, AL 35080

Inst # 2001-32898

08/07/2001-32898  
07:10 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 CH 37.50

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 SEVENTEEN THOUSAND DOLLARS and 00/100 (\$117,000.00) DOLLARS to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, GERARD E. DICHARA, AN UNMARRIED PERSON and EMANUEL J. DICHARA, A MARRIED PERSON (herein referred to as GRANTORS) do grant, bargain, sell and convey unto SCOTT P. SUTHERLAND and KERRI R. SUTHERLAND, 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 2, IN BLOCK 7, ACCORDING TO A RESURVEY OF LOTS 2, 3 AND 4, IN BLOCK 7, OF PLANTATION SOUTH, THIRD SECTOR, PHASE II, AS RECORDED IN MAP BOOK 14, PAGE 58, 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. 40-FOOT BUILDING SET BACK LINE FROM PINEHURST DRIVE AS SHOWN ON RECORDED MAP.
3. 10-FOOT UTILITY EASEMENT ACROSS THE WEST AND NORTH SIDES OF SAID LOT AS SHOWN ON RECORDED MAP.
4. EASEMENT TO ALABAMA POWER COMPANY AND SOUTH CENTRAL BELL RECORDED IN REAL BOOK 167, PAGE 393 AND REAL BOOK 270, PAGE 154.
5. EASEMENT TO PLANTATION PIPE LINE CO. RECORDED IN DEED BOOK 112, PAGE 353; DEED BOOK 257, PAGE 375 AND DEED BOOK 317, PAGE 166.
6. SEWER EASEMENT RECORDED IN DEED BOOK 330, PAGE 930 AND AGREEMENT RECORDED IN MISC. BOOK 39, PAGE 327.

SUBJECT PROPERTY DOES NOT CONSTITUTE THE HOMESTEAD OF EMANUEL J. DICHARA NOR HIS RESPECTIVE SPOUSE.

\$93,600.00 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 GRANTORS, GERARD E. DICHARA, AN UNMARRIED PERSON and EMANUEL J. DICHARA, A MARRIED PERSON, have hereunto set his, her or their signature(s) and seal(s), this the 31st day of July, 2001.

  
GERARD E. DICHARA


  
EMANUEL J. DICHARA

STATE OF ALABAMA)  
COUNTY OF SHELBY)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that GERARD E. DICHARA, AN UNMARRIED PERSON and EMANUEL J. DICHARA, A MARRIED PERSON, whose name(s) is (are) signed to the foregoing conveyance, and who is (are) known to me, acknowledged before me on this day that, being informed of the contents of the conveyance he, she, or they executed the same voluntarily on the day the same bears date.

Given under my hand this the 31st day of July, 2001.

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

My commission expires: 9.29.01

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