

6279

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was prepared by:

R. Shan Paden  
PADEN & PADEN  
Attorneys at Law  
5 Riverchase Ridge, Suite 100  
Birmingham, Alabama 35244

SEND TAX NOTICE TO:

THOMAS ERWIN  
4735 SANDPIPER LANE  
BIRMINGHAM, ALABAMA 35244

Inst # 2001-39797

09/14/2001-39797  
08:21 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 CH 52.50

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 NINETY ONE THOUSAND and 00/100 (\$191,000.00) DOLLARS to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, HARRY M. SIMPKINS, III and VIRGINIA D. SIMPKINS, HUSBAND AND WIFE (herein referred to as GRANTORS) do grant, bargain, sell and convey unto THOMAS ERWIN and TONYA BECK ERWIN, 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 31, ACCORDING TO THE SURVEY OF SANDPIPER TRAIL SUBDIVISION, SECTOR 1, AS RECORDED IN MAP BOOK 12, PAGE 43, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

SUBJECT TO:

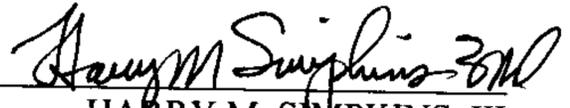
1. TAXES FOR THE YEAR BEGINNING OCTOBER 1, 2000 WHICH CONSTITUTES A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 2001.
2. TITLE TO ALL MINERALS WITHIN AND UNDERLYING THE PREMISES, TOGETHER WITH ALL MINING RIGHTS AND OTHER RIGHTS, PRIVILEGES, IMMUNITIES AND RELEASE OF DAMAGES RELATING THERETO, AS RECORDED IN DEED BOOK 188, PAGE 357 AND DEED BOOK 225, PAGE 385.
3. EASEMENT AND AGREEMENT FOR ROAD RECORDED IN REAL VOLUME 24, PAGE 585.
4. 35 FOOT BUILDING LINE FROM SANDPIPER LANE; 10 FOOT UTILITY EASEMENT ALONG THE REAR LOT LINE AND A 7.5 FOOT UTILITY EASEMENT ALONG THE NORTHEASTERLY LOT LINE, ALL AS SHOWN ON RECORDED MAP.

\$152,800.00 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, HARRY M. SIMPKINS, III and VIRGINIA D. SIMPKINS, HUSBAND AND WIFE, have hereunto set his, her or their signature(s) and seal(s), this the 31st day of August, 2001.

  
HARRY M. SIMPKINS, III

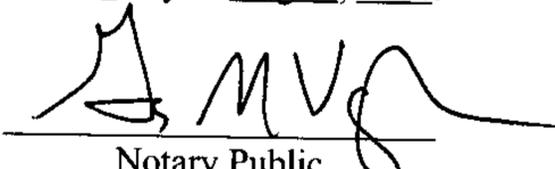
  
VIRGINIA D. SIMPKINS

STATE OF ALABAMA)  
COUNTY OF SHELBY)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that HARRY M. SIMPKINS, III and VIRGINIA D. SIMPKINS, HUSBAND AND WIFE, 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 August, 2001.

  
Notary Public

My commission expires: 9.29.02

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