

**Send Tax Notice To:**  
Mr. & Mrs. James Workman Magette, Jr.  
508 Mill Springs Circle  
Hoover, AL 35244

**This Instrument Prepared By:**  
John G. Lowther, P.C.  
3500 Independence Drive  
Birmingham, AL 35209

**STATE OF ALABAMA  
COUNTY OF SHELBY**

**STATUTORY DEED JOINT TENANT WITH RIGHT OF SURVIVORSHIP**

**KNOW ALL MEN BY THESE PRESENTS**, that for and in consideration of Two Hundred Sixty-seven Thousand Five Hundred and 00/100 (\$267,500.00) Dollars and other valuable consideration to the undersigned Grantor, Aliant Bank, (hereinafter referred to as "Grantor") in hand paid by James Workman Magette, Jr., and his wife Peggy Frey Magette, (hereinafter referred to as "Grantees"), the receipt whereof is hereby acknowledged, the said Grantor does grant, bargain, sell and convey unto the said Grantees as joint tenants with right of survivorship the following described real estate and improvements thereon situated in Shelby County, Alabama, to-wit:

Lot 6, according to the Survey of Mill Springs Estates, Amended 1<sup>st</sup> Sector, as recorded in Map Book 24, Page 116, in the Probate Office of Shelby County, Alabama.

The entire purchase price was paid from the proceeds of a mortgage recorded herewith.

**THIS CONVEYANCE IS SUBJECT TO THE FOLLOWING:**

1. The property is sold in its "As is - Where is" condition.
2. All outstanding rights of redemption in favor of all persons entitled to redeem the property from that certain mortgage foreclosure sale evidenced by mortgage foreclosure deed dated the 3<sup>rd</sup> day of July, 2001, and recorded in Inst. No. 2001-27556, in the Probate Office of Shelby County, Alabama, of that certain mortgage executed by Hampton Homes, Inc. to Aliant Bank, recorded in Inst. No. 2000-22817, under and in accordance with the laws of the State of Alabama or the United States of America. Said rights to expire one (1) year from July 3, 2001.
3. Taxes and assessments for the year 2001, and subsequent years, which are not yet due and payable. Tax information has been based on the present assessment roles, but is subject to any future adjustments that may be made by either the Tax Assessor or the Board of Equalization of Shelby County, Alabama.
4. Easement(s); building line; and restrictions as shown on recorded map.
5. Right-of-way granted to Alabama Power Company recorded in Deed Volume 101, page 570 and Deed Volume 220, Page 67.

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6. Right-of-way granted to Shelby County recorded in Deed Volume 216, Page 24.
7. Restrictions and covenants appearing of record in Inst. No. 1999-3193 and Inst. No. 1999-11104.
8. Sink hole as shown on recorded map.
9. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto.

**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 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.

No word, words, or provisions of this instrument are intended to operate as to imply covenants of warranty except the following: Grantor does hereby specially warrant the title to said property against lawful claim of all persons claiming by, through or under the Grantor.

**IN WITNESS WHEREOF**, the said Grantor has caused this instrument to be executed by its duly authorized officer on this 20<sup>th</sup> day of September, 2001.

Aliant Bank

By:

  
Jimmy C. Maples, Vice President

STATE OF ALABAMA  
COUNTY OF JEFFERSON

I, the undersigned Notary Public in and for said County and State, hereby certify that Jimmy C. Maples, whose name as Vice President of Aliant Bank 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 Bank.

Given under my hand and official seal this 20<sup>th</sup> day of September, 2001.

  
Notary Public

My Commission Expires: 01/03/03

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