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(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:

JOSE A. DIAZ
105 WAGON CIRCLE
ALABASTER, AL 35007

Inst # 2001-54832

12/14/2001-54832
08:04 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
46.50
002 CH

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 ONE THOUSAND and 00/100 (\$161,000.00) DOLLARS to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, BETTY J. HURT, AN UNMARRIED PERSON (herein referred to as GRANTORS) do grant, bargain, sell and convey unto JOSE A. DIAZ and DELIA DIAZ, 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 38, ACCORDING TO THE SURVEY OF APACHE RIDGE 5TH SECTOR, AS RECORDED IN MAP BOOK 17, PAGE 62, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

SUBJECT TO:

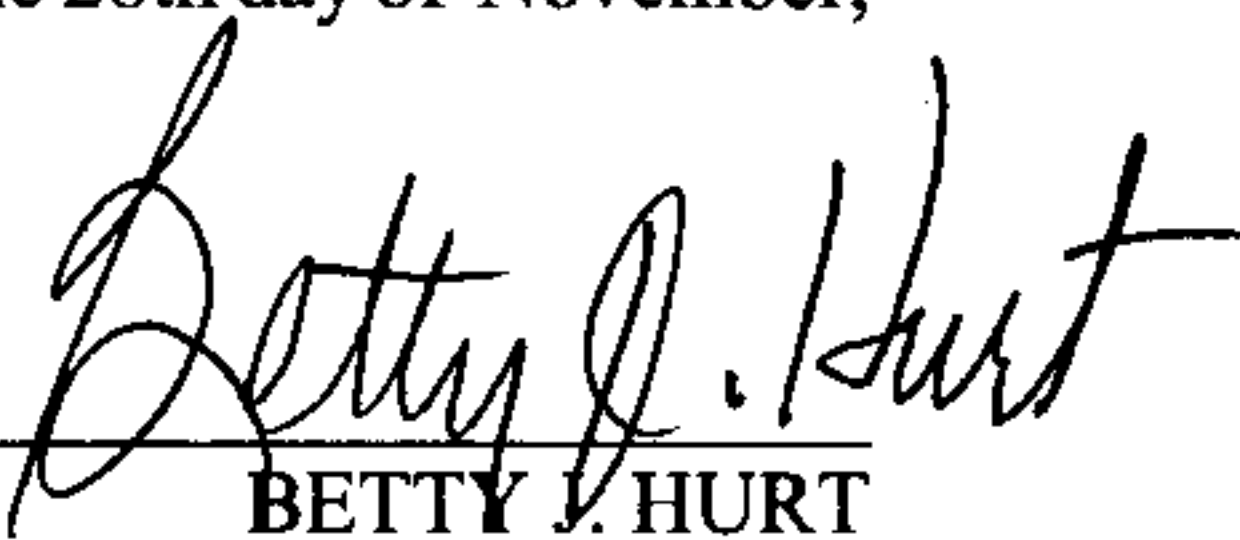
1. TAXES FOR THE YEAR BEGINNING OCTOBER 1, 20001 WHICH CONSTITUTES A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 2002.
2. 30 FOOT BUILDING LINE ON FRONT, REAR AND NORTH, AS SHOWN BY RECORDED MAP.
3. 12.5 FOOT EASEMENT ON WEST AND 10 FOOT LANDSCAPE EASEMENT ON REAR AND NORTH, AS SHOWN BY RECORDED MAP.
4. RESTRICTIONS AS SHOWN BY RECORDED MAP.
5. RESTRICTIONS, COVENANTS AND CONDITIONS RECORDED IN INSTRUMENT #1993-18402, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
6. MINERAL AND MINING RIGHTS AND RIGHTS INCIDENT THERETO RECORDED IN INSTRUMENT #1994-14909, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

\$128,800.00 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, BETTY J. HURT, AN UNMARRIED PERSON, have hereunto set his, her or their signature(s) and seal(s), this the 28th day of November, 2001.



BETTY J. HURT

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that BETTY J. HURT, AN UNMARRIED 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 28th day of November, 2001.


Notary Public

My commission expires: 7/11/02

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