

(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:

PERRY L. ALGREN  
556 MARTIN LANE  
HELENA, AL 35080

STATE OF ALABAMA)

COUNTY OF SHELBY)

**JOINT TENANTS WITH RIGHT OF SURVIVORSHIP**

**WARRANTY DEED**

**Know All Men by These Presents:** That in consideration of TWO HUNDRED NINETY FIVE THOUSAND and 00/100 (\$295,000.00) DOLLARS to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, PETER J. GARLAND, KATIE GARLAND AND THOMAS PAYNE GOVAN MEMORIAL SCHOLARSHIP FUND, UNIVERSITY OF THE SOUTH, SEWANEE, TENNESSEE (herein referred to as GRANTORS) do grant, bargain, sell and convey unto PERRY L. ALGREN and DINAD. ALGREN, 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 3, ACCORDING TO THE MAP AND SURVEY OF TUCKER ESTATES, AS RECORDED IN MAP BOOK 30, PAGE 27, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

MARY ANN GARLAND TUCKER DIES ON THE 10<sup>TH</sup> DAY OF NOVEMBER, 2001.

SUBJECT TO:

1. TAXES FOR THE YEAR BEGINNING OCTOBER 1, 2002 WHICH CONSTITUTES A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 2003.
2. PERMIT TO ALABAMA POWER COMPANY AS RECORDED IN DEED BOOK 139, PAGE 414.
3. TITLE TO ALL OIL, GAS AND MINERALS WITHIN AND UNDERLYING THE PREMISES, TOGETHER WITH ALL OIL AND MINING RIGHTS AND OTHER RIGHTS, PRIVILEGES AND IMMUNITIES RELATING THERETO, TOGETHER WITH ANY RELEASE OF LIABILITY FOR INJURY OR DAMAGE TO PERSONS OR PROPERTY AS A RESULT OF THE EXERCISE OF SUCH RIGHTS.
4. RIGHT OF WAY TO SHELBY COUNTY FOR PUBLIC ROAD AS RECORDED IN DEED BOOK 221, PAGE 369; DEED BOOK 221, PAGE 370; DEED BOOK 221, PAGE 372 AND DEED BOOK 221, PAGE 373.
5. RESTRICTIVE COVENANTS AS RECORDED IN MISC. BOOK 14, PAGE 527.
6. AGREEMENT TO MAINTAIN PRIVATE DRIVEWAY AS RECORDED IN MISC. BOOK 21, PAGE 603.

\$231,000.00 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 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, PETER J. GARLAND, KATIE GARLAND AND THOMAS PAYNE GOVAN MEMORIAL SCHOLARSHIP FUND, UNIVERSITY OF THE SOUTH, SEWANEE, TENNESSEE, have hereunto set his, her or their signature(s) and seal(s), this the 28th day of October, 2002.

PETER J. GARLAND, KATIE GARLAND  
AND THOMAS PAYNE GOVAN  
MEMORIAL SCHOLARSHIP FUND,  
UNIVERSITY OF THE SOUTH,  
SEWANEE, TENNESSEE


  
BY: JERRY FORSTER  
ITS: TREASURER & CFO

STATE OF ALABAMA)  
COUNTY OF SHELBY)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that JERRY FORSTER whose name as TREASURER & CFO of the PETER J. GARLAND, KATIE GARLAND AND THOMAS PAYNE GOVAN MEMORIAL SCHOLARSHIP FUND, UNIVERSITY OF THE SOUTH, SEWANEE, TENNESSEE UNIVERSITY OF THE SOUTH, 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 October, 2002.

  
Notary Public

My commission expires: 9.29.06