



(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was prepared by:

SEND TAX NOTICE TO:

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

TIMOTHY P. NIX  
1047 EAGLE HOLLOW DRIVE  
BIRMINGHAM, AL 35242

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 EIGHT THOUSAND SIX HUNDRED SEVENTY DOLLARS and 00/100 (\$298,670.00) to the undersigned grantor, EVER-RIDGE BUILDERS, INC. in hand paid by the GRANTEES herein, the receipt of which is hereby acknowledged, the said GRANTOR, does by these presents, grant, bargain, sell and convey unto TIMOTHY P. NIX and JENNIFER L. NIX, 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 1705 ACCORDING TO THE SURVEY OF EAGLE POINT 17<sup>TH</sup> SECTOR AS RECORDED IN MAP BOOK 30, PAGE 82, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

SUBJECT TO:

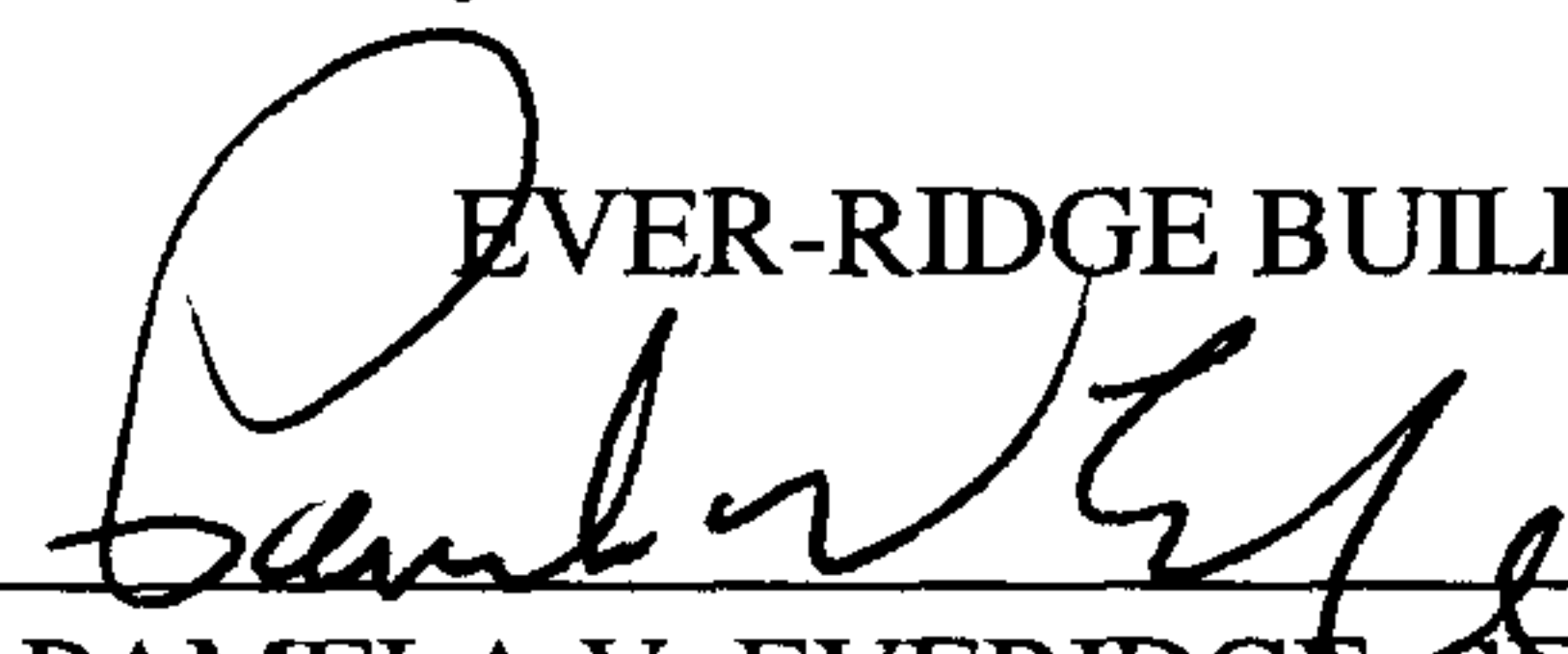
1. TAXES FOR THE YEAR 2002 WHICH CONSTITUTE A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 2003.
2. EASEMENTS; BUILDING LINE AND RESTRICTIONS AS SHOWN ON RECORDED MAP.
3. RESTRICTIONS AND COVENANTS APPEARING OF RECORD IN REAL VOLUME 206, PAGE 448 AND INST. NO. 2001-25861.
4. RIGHT OF WAY GRANTED TO ALABAMA POWER COMPANY RECORDED IN VOLUME 111, PAGE 408; VOLUME 149, PAGE 380; VOLUME 109, PAGE 70; VOLUME 129, PAGE 418, AND INST. NO. 1999-22182.
5. RIGHT OF WAY GRANTED TO SOUTH CENTRAL BELL TELEPHONE COMPANY RECORDED IN VOLUME 336, PAGE 224; VOLUME 337, PAGE 245 AND REAL VOLUME 149, PAGE 206.
6. TITLE TO ALL MINERALS WITHIN AND UNDERLYING THE PREMISES, TOGETHER WITH ALL MINING RIGHTS AND OTHER RIGHTS PRIVILEGES AND IMMUNITIES RELATING THERETO AS RECORDED IN VOLUME 339, PAGE 262 AND VOLUME 81, PAGE 417.
7. EASEMENT FOR UTILITIES AS RECORDED IN INST. NO. 1998-42638.
8. EASEMENT AS RECORDED IN VOLUME 290, PAGE 842, AND VOLUME 290, PAGE 848.

\$277,734.00 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 said GRANTOR does for itself, its successors and assigns, covenant with the said GRANTEES, his, her, or their heirs and assigns, that it is lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that it has a good right to sell and convey the same as aforesaid, and that it will and its successors and assigns 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 GRANTOR, EVER-RIDGE BUILDERS, INC., by its SECRETARY, PAMELA V. EVERIDGE who is authorized to execute this conveyance, has hereunto set its signature and seal, this the 14th day of February, 2003.

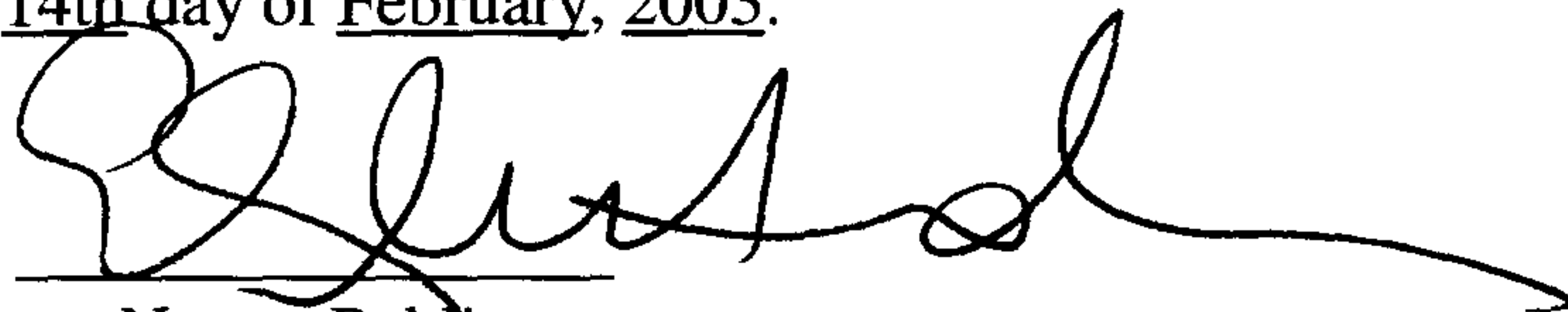
EVER-RIDGE BUILDERS, INC.  
By:   
PAMELA V. EVERIDGE, SECRETARY

STATE OF ALABAMA)  
COUNTY OF SHELBY)

ACKNOWLEDGMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that PAMELA V. EVERIDGE, whose name as SECRETARY of EVER-RIDGE BUILDERS, INC., a corporation, 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 or she, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand this the 14th day of February, 2003.

  
Notary Public

My commission expires: 10.2.05