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(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

HUGH M. KINGERY  
3728 CROSSING CREST  
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 FORTY THOUSAND SIX HUNDRED NINETY THREE DOLLARS and 00/100 (\$240,693.00) to the undersigned grantor, GIBSON & ANDERSON CONSTRUCTION, 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 HUGH M. KINGERY and NINA A. KINGERY, 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 182, ACCORDING TO THE SURVEY OF PHASE ONE CALDWELL CROSSINGS 2<sup>ND</sup> SECTOR, AS RECORDED IN MAP BOOK 30, PAGE 116, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

**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. RIGHT OF WAY GRANTED TO SHELBY COUNTY RECORDED IN VOLUME 233, PAGE 700; VOLUME 216, PAGE 29 AND VOLUME 282, PAGE 115.
3. RIGHT OF WAY GRANTED TO ALABAMA POWER COMPANY RECORDED IN REAL VOLUME 142, PAGE 148 AND REAL 142, PAGE 148.
4. TITLE TO ALL MINERALS WITHIN AND UNDERLYING THE PREMISES, TOGETHER WITH ALL MINING RIGHTS AND OTHER RIGHTS, PRIVILEGES AND IMMUNITIES RELATING THERETO AND RELEASE OF DAMAGES AS RECORDED IN INST. #2000-14348 AND INST. #2000-43395.
5. RIGHT OF WAY GRANTED THE CITY OF HOOVER RECORDED IN INST. #2000-40742, INST. #2000-40741 AND INST. #2000-25988.
6. RESTRICTIONS AND COVENANTS APPEARING OF RECORD IN INST. #2002-02381.

\$192,554.00 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, GIBSON & ANDERSON CONSTRUCTION, INC., by its PRESIDENT, EARL GIBSON who is authorized to execute this conveyance, has hereunto set its signature and seal, this the 25th day of April, 2003.

GIBSON & ANDERSON CONSTRUCTION, INC.

By:   
EARL GIBSON, PRESIDENT

STATE OF ALABAMA)  
COUNTY OF SHELBY)

ACKNOWLEDGMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that EARL GIBSON, whose name as PRESIDENT of GIBSON & ANDERSON CONSTRUCTION, 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 25th day of April, 2003.

  
Notary Public

My commission expires: 9.29.06