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20030807000517500 Pg 1/2 301.00
Shelby Cnty Judge of Probate, AL
08/07/2003 13:16:00 FILED/CERTIFIED

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was
prepared by:

SEND TAX NOTICE TO:

R. BARRY CLEMENTS

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

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 EIGHTY SEVEN THOUSAND DOLLARS and 00/100 (\$287,000.00) to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, CLARA ENGELINA GERHARDT, A MARRIED PERSON (herein referred to as GRANTORS) do grant, bargain, sell and convey unto R. BARRY CLEMENTS AND S. CLARE CLEMENTS, 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 F, ACCORDING TO THE MAP OF BROOK RIDGE ESTATES, AS RECORDED IN MAP BOOK 17, PAGE 133 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

****SAID PROPERTY DOES NOT CONSTITUTE THE HOMESTEAD OF THE GRANTOR OR HER SPOUSE****

SUBJECT TO:

1. TAXES FOR THE YEAR 2002 WHICH CONSTITUTE A LIEN BUT ARE NOT DUE AND PAYABLE UNTIL OCTOBER 1, 2003.
2. TRANSMISSION LINE PERMIT TO ALABAMA POWER COMPANY AS SETFORTH IN DEED BOOK 101, PAGE 541.
3. RIGHTS OF WAY TO SHELBY COUNTY AS SETFORTH IN DEED BOOK 135, PAGE 29 AND IN DEED BOOK 135, PAGE 30.
4. 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 AS RECORDED IN DEED BOOK 4, PAGE 537, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
5. RESTRICTIVE COVENANTS AS SETFORTH IN INSTRUMENT 1993-38371, INSTRUMENT #1995-15765 AND IN INSTRUMENT 1995-16919.

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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, CLARA ENGELINA GERHARDT, A MARRIED PERSON, have hereunto set his, her or their signature(s) and seal(s), this the 1st day of August, 2003.

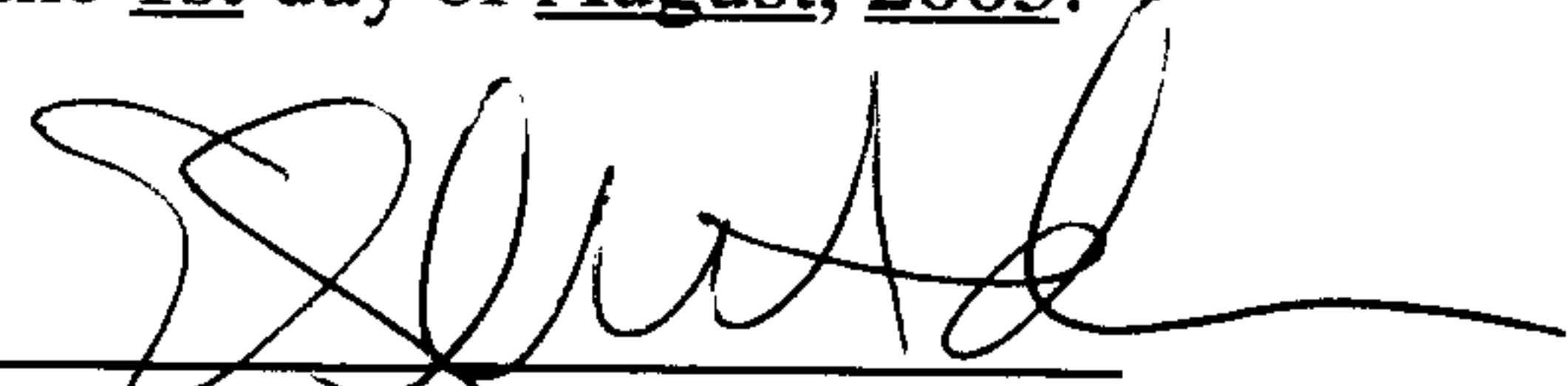

CLARA ENGELINA GERHARDT

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that CLARA ENGELINA GERHARDT, A MARRIED 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 1st day of August, 2003.


Notary Public

My commission expires: 10-2-05