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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:

ROBERT A. DUNCAN
3912 CANNOCK 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 THREE HUNDRED NINETY THOUSAND and 00/100 (\$390,000.00) DOLLARS to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, JOE L. TUCKER, JR. and AURELIA M. TUCKER, HUSBAND AND WIFE (herein referred to as GRANTORS) do grant, bargain, sell and convey unto ROBERT A. DUNCAN and TRACY M. DUNCAN, 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 199, ACCORDING TO THE SURVEY OF BROOK HIGHLAND, AN EDDLEMAN COMMUNITY 6TH SECTOR, 1ST PHASE, AS RECORDED IN MAP BOOK 14 PAGE 83 A&B 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. RELEASE OF DAMAGES AS SET OUT IN INSTRUMENT(S) RECORDED IN BOOK 344, PAGE 562 AND BOOK 354, PAGE 646.
3. DECLARATION OF PROTECTIVE COVENANTS FOR WATERSHED PROPERTY IN BOOK 194, PAGE 54.
4. RESTRICTIONS APPEARING OF RECORD IN BOOK 194, PAGE 254 AND AMENDED IN BOOK 317, PAGE 767.
5. ARTICLES OF BROOK HIGHLAND HOMEOWNERS' ASSOCIATION IN BOOK 194, PAGE 281 AND BY-LAWS IN BOOK 194, PAGE 287.
6. EASEMENT AGREEMENT, IN BOOK 194, PAGE 20; BOOK 194, PAGE 43; BOOK 194, PAGE 1 AND BOOK 194, PAGE 4.
7. DRAINAGE AGREEMENT IN BOOK 125, PAGE 238.
8. RECIPROCAL EASEMENT AGREEMENT IN BOOK 125, PAGE 249 AND BOOK 199, PAGE 18.

- 9. RESTRICTIONS AS SHOWN ON RECORDED MAP(S).
- 10. TITLE TO ALL MINERALS WITHIN AND UNDERLYING THE PREMISES, TOGETHER WITH ALL MINING RIGHTS AND OTHER RIGHTS, PRIVILEGES, IMMUNITIES AND RELEASE OF DAMAGES RELATING THERETO, AS RECORDED IN DEED BOOK 32, PAGE 48 AND DEED BOOK 121, PAGE 294.
- 11. TERMS, AGREEMENTS AND RIGHT OF WAY TO ALABAMA POWER COMPANY AS RECORDED IN BOOK 181, PAGE 996.
- 12. NOTICE TO THE INSURED IS HEREBY GIVEN THAT THE RECORDED SUBDIVISION MAP(S), AS RECORDED IN MAP BOOK 14, PAGE 83, CONTAINS ON THE FACE OF SAME A STATEMENT PERTAINING TO NATURAL LIME SINKS.
- 13. 35 FOOT BUILDING LINE FROM CANNOCK DRIVE; 10 FOOT UTILITY EASEMENT ALONG THE REAR LOT LIEN, AS SHOWN ON RECORDED PLAT.

\$312,000.00 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, JOE L. TUCKER, JR. and AURELIA M. TUCKER, HUSBAND AND WIFE, have hereunto set his, her or their signature(s) and seal(s), this the 25th day of August, 2003.

Joe L. Tucker, Jr. Acting by and through his Attorney in Fact, Gail Weiss
JOE L. TUCKER, JR., ACTING BY AND THROUGH HIS ATTORNEY IN FACT, GAIL WEISS

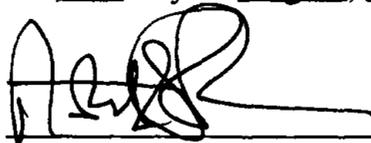
Aurelia M. Tucker, acting by and through her Attorney in Fact, Gail Weiss
AURELIA M. TUCKER, ACTING BY AND THROUGH HER ATTORNEY IN FACT, GAIL WEISS

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGMENT

I, the undersigned, a Notary Public in and for said State of Alabama at Large, hereby certify that GAIL WEISS, whose name as Attorney in Fact for JOE L. TUCKER, JR. AND AURELIA M. TUCKER, is signed to the foregoing instrument and who is known to me, acknowledged before me on this date that, being informed of the instrument, she, in her capacity as such Attorney in Fact, and with full authority executed the same voluntarily on the date the same bears date.

Given under my hand this the 25th day of August, 2003.



Notary Public

My commission expires: 7/1/26