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20031006000669570 Pg 1/2 15.00
Shelby Cnty Judge of Probate, AL
10/06/2003 08:04:00 FILED/CERTIFIED

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was
prepared by:

SEND TAX NOTICE TO:

JOHN M. LOVOY

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 SEVENTY ONE THOUSAND FIVE HUNDRED DOLLARS and 00/100 (\$71,500.00) to the undersigned grantor, RIVERWOODS PROPERTIES, LLC, AN ALABAMA LIMITED LIABILITY COMPANY 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 JOHN M. LOVOY and CINDY C. LOVOY, 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 27B ACCORDING TO THE FINAL PLAT OF CAHABA FALLS, PHASE FOUR B AS RECORDED IN MAP BOOK 29, PAGE 76 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

JOHN M. LOVOY AND JOHN LOVOY ARE ONE IN THE SAME PERSON.
SUBJECT TO: CINDY C. LOVOY AND CINDY LOVOY ARE ONE IN THE SAME PERSON.

1. TAXES FOR THE YEAR 2002 WHICH CONSTITUTE A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 2003.
2. 50 FOOT BUILDING LINE ON EAST AND WEST AND 15 FOOT BUILDING LINE ON SOUTH AND NORTH AS SHOWN BY RECORDED MAP.
3. 7 ½ FOOT EASEMENT ON SOUTH AND NORTH FOR UTILITIES AS SHOWN BY RECORDED MAP.
4. RESTRICTIONS AS SHOWN BY RECORDED MAP.
5. THE RIGHTS OF UPSTREAM AND DOWN STREAM RIPARIAN OWNERS WITH RESPECT TO ANY BODY OF WATER WHICH MAY LIE ADJACENT TO AND/OR TRAVERSING THROUGH SUBJECT PROPERTY.
6. RESTRICTIONS RECORDED IN INSTRUMENT 1993-22452 REAL 306, PAGE 526 REAL 396, PAGE 13, REAL 384 PAGE 152 AND REAL 396, PAGE 11 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
7. TITLE TO ALL CAPTION LANDS LYING BELOW THE ORDINARY HIGH WATER OF THE CAHABA RIVER.
8. RIGHT OF WAY TO SHELBY COUNTY RECORDED IN DEED BOOK 155, PAGE 331 DEED BOOK 155, PAGE 425 AND LIS PENDENS BOOK 2, PAGE 165 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

9. TRANSMISSION LINE PERMITS TO ALABAMA POWER COMPANY AS RECORDED IN DEED BOOK 247, PAGE 853 DEED BOOK 131, PAGE 447 AND DEED BOOK 139, PAGE 238 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
10. RIGHTS OF INGRESS AND EGRESS TO THAT PORTION OF THE W ½ OF SW1/4 SECTION 17, TOWNSHIP 20 SOUTH RANGE 3 WEST LYING WEST OF THE CAHABA RIVER.
11. RIGHT OF WAY TO ALABAMA POWER COMPANY AND SOUTHER BELL TELEPHONE AND TELEGRAPH COMPANY RECORDED IN REAL 337, PAGE 730 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
12. MINERAL AND MINING RIGHTS AND RIGHTS INCIDENT THERETO AS RECORDED IN VOLUME 235, PAGE 545 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
13. OIL GAS AND MINERAL LEASE RECORDED IN VOLUME 321, PAGE 629 AND REAL 280, PAGE 47 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

\$423,000.00 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 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, RIVERWOODS PROPERTIES, LLC, by its SEC OF PZ, INC MANAGING MEMBER, JILL HUBBARD who is authorized to execute this conveyance, has hereunto set its signature and seal, this the 25th day of September, 2003.

RIVERWOODS PROPERTIES, LLC

By: 

JILL HUBBARD, SEC OF PZ, INC MANAGING MEMBER

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that JILL HUBBARD, whose name as SEC OF PZ, INC MANAGING MEMBER of RIVERWOODS PROPERTIES, LLC, an Alabama Limited Liability Company, 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 limited liability company.

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


Notary Public

My commission expires: 10.2.05