

10624

(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 F. ALLEN  
207 KING JAMES COURT  
ALABASTER, AL 35007

STATE OF ALABAMA)

COUNTY OF SHELBY)

**JOINT TENANTS WITH RIGHT OF SURVIVORSHIP**

**WARRANTY DEED**

**Know All Men by These Presents:** That in consideration of ONE HUNDRED SIXTY ONE THOUSAND NINE HUNDRED and 00/100 (\$161,900.00) DOLLARS to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, SAMUEL D. LYLES and SHIRLEY H. LYLES, HUSBAND AND WIFE (herein referred to as GRANTORS) do grant, bargain, sell and convey unto ROBERT F. ALLEN and KATHRYN ALLEN, 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 55, ACCORDING TO THE SURVEY OF SPRING GATE ESTATES, PHASE ONE, AS RECORDED IN MAP BOOK 19, PAGE 23, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

SUBJECT TO:

1. TAXES FOR THE YEAR BEGINNING OCTOBER 1, 2003 WHICH CONSTITUTES A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 2004.
2. BUILDING LINE(S), AS SHOWN BY RECORDED MAP.
3. SUBDIVISION RESTRICTIONS SHOWN ON RECORDED PLAT IN MAP BOOK 19, PAGE 23, PROVIDE FOR CONSTRUCTION OF SINGLE FAMILY RESIDENCES ONLY.
4. RESTRICTIONS OR COVENANTS RECORDED IN INSTRUMENT #1994-36551, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
5. RIGHT OF WAY GRANTED TO ALABAMA POWER COMPANY BY INSTRUMENT RECORDED IN INSTRUMENT #1998/17758.
6. RESTRICTIONS OR COVENANTS RECORDED IN INSTRUMENT #1999/7522, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
7. AGREEMENT WITH ALABASTER WATER AND GAS RECORDED IN INSTRUMENT #1995/7351, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.


8. RIGHT OF WAY GRANTED TO ALABAMA POWER COMPANY BY INSTRUMENT RECORDED IN VOLUME 225, PAGE 224 AND VOLUME 55, PAGE 454, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

\$153,805.00 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, SAMUEL D. LYLES and SHIRLEY H. LYLES, HUSBAND AND WIFE, have hereunto set his, her or their signature(s) and seal(s), this the 2nd day of April, 2004.

  
\_\_\_\_\_  
SAMUEL D. LYLES

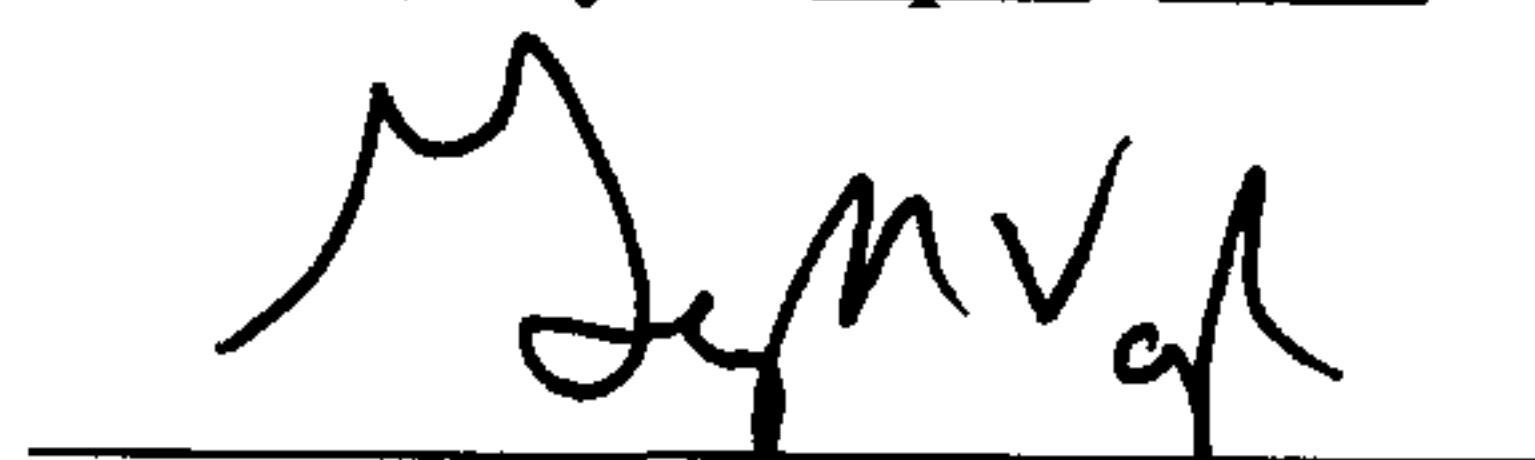
*Shirley H. Lyles acting by and through her attorney  
in fact, Samuel D. Lyles*  
\_\_\_\_\_  
SHIRLEY H. LYLES, ACTING BY AND THROUGH  
HER ATTORNEY IN FACT, SAMUEL D. LYLES

STATE OF ALABAMA)  
COUNTY OF SHELBY)

#### ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that SAMUEL D. LYLES, 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 2nd day of April, 2004.

  
\_\_\_\_\_  
Notary Public

My commission expires: 9.29.06


10624

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 SAMUEL D. LYLES, whose name as Attorney in Fact for SHIRLEY H. LYLES, 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 his 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 2nd day of April, 2004.



Notary Public

My commission expires: 9.29.06