

DS  
11001



20040706000370000 Pg 1/2 205.00  
Shelby Cnty Judge of Probate, AL  
07/06/2004 11:24:00 FILED/CERTIFIED

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was prepared by:

SEND TAX NOTICE TO:

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

PHILLIP G. MORRIS  
1944 ARBOR COURT  
BIRMINGHAM, ALABAMA 35244

STATE OF ALABAMA)

COUNTY OF SHELBY)

**JOINT TENANTS WITH RIGHT OF SURVIVORSHIP**

**STATUTORY WARRANTY DEED**

**Know All Men by These Presents:** That in consideration of THREE HUNDRED FIFTY FIVE THOUSAND FIVE HUNDRED SIXTY DOLLARS and 00/100 (\$355,560.00) DOLLARS to the undersigned grantor, HPH PROPERTIES, LLC, 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 PHILLIP G. MORRIS and BARBARA C. MORRIS, 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 10, ACCORDING TO THE FINAL PLAT OF ARBOR HILL, PHASE I, AS RECORDED IN MAP BOOK 31, PAGE 48, 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. EASEMENTS, BUILDING LINES AND RESTRICTIONS AS SHOWN BY RECORDED MAP.
3. ASSIGNMENT OF DEVELOPERS RIGHTS AS RECORDED IN INSTRUMENT NO. 2002-30821.
4. 30 FOOT EASEMENT ON NORTHERN SIDE OF LOT AS SHOWN ON RECORDED MAP AND AS SHOWN ON SURVEY OF JAMES F. BREIGHNER, JR. LAST REVISED DECEMBER 19, 2001.
5. AGREEMENT WITH ALABAMA POWER COMPANY AS TO UNDERGROUND CABLES AS RECORDED IN REAL 69, PAGE 455, AND COVENANTS PERTAINING THERETO AS RECORDED IN REAL 69, PAGE 458.
6. TITLE TO ALL MINERALS WITHIN AND UNDERLYING THE PREMISES, TOGETHER WITH ALL MINING RIGHTS AND OTHER RIGHTS, PRIVILEGES AND IMMUNITIES RELATING THERETO, INCLUDING RIGHTS SET OUT IN DEED BOOK 121, PAGE 294; DEED BOOK 127, PAGE 140; DEED BOOK 9, PAGE 302; DEED BOOK 255, PAGE 168; DEED BOOK 6, PAGE 16; DEED BOOK 111, PAGE 625; DEED BOOK 268, PAGE 344; DEED BOOK 255, PAGE 188.
7. TRANSMISSION LINE PERMITS TO ALABAMA POWER COMPANY AS RECORDED

IN DEED BOOK 136, PAGE 34; DEED BOOK 151, PAGE 449; DEED BOOK 136, PAGE 28 AND DEED BOOK 108, PAGE 363.

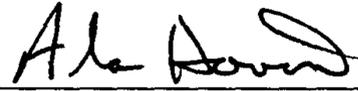
8. RIGHT OF WAY GRANTED TO ALABAMA POWER COMPANY RECORDED IN DEED BOOK 332, PAGE 554.

\$165,000.00 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.

IN WITNESS WHEREOF, the said DAVID BONAMY, JR. AS CLOSING MANAGER OF HPH PROPERTIES, LLC, has hereunto subscribed her name on this the 28th day of June, 2004.

HPH PROPERTIES, LLC



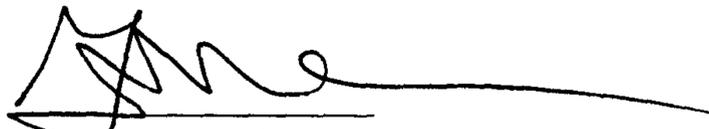
ALAN HOWARD, MEMBER

STATE OF ALABAMA)  
COUNTY OF SHELBY)

ACKNOWLEDGMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that ALAN HOWARD, whose name as MEMBER of HPH 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 28th day of June, 2004.

  
Notary Public

My commission expires: 9.29.06

