



20040901000489360 Pg 1/2 188.00  
Shelby Cnty Judge of Probate, AL  
09/01/2004 10:18:00 FILED/CERTIFIED

SEND TAX NOTICE TO:  
**Brian Anthony Bertella and Erica Justice**  
**108 Augusta Way**  
**Helena, Alabama 35080**

**This instrument was prepared by:**

**Sunny Henderson**  
**Preferred Title Agency, Inc.**  
**2737 Highland Avenue South**  
**Birmingham, AL 35205**

**WARRANTY DEED, JOINT TENANTS WITH RIGHT OF SURVIVORSHIP**

**STATE OF ALABAMA**  
**SHELBY COUNTY**

**KNOW ALL MEN BY THESE PRESENTS:**

5  
86/ That in consideration of **One Hundred Seventy Three Thousand Nine Hundred dollars & no cents (\$173,900.00)** To the undersigned **GRANTOR(S)** in hand paid by the **GRANTEE(S)** herein, the receipt whereof is acknowledged, **Charles V. Linker and wife, Lisa S. Linker** (herein referred to as **GRANTOR(S)**), do grant, bargain, sell and convey unto **Brian Anthony Bertella, an unmarried man, and Erica Justice, an unmarried woman** (herein referred to as **GRANTEE(S)**), as joint tenants, with right of survivorship, the following described real estate, situated in **Shelby County, Alabama**, to-wit:

**LOT 4, ACCORDING TO THE MAP OF AUGUSTA POINTE, AS RECORDED IN MAP BOOK 13, PAGE 9, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.**

**SITUATED IN SHELBY COUNTY, ALABAMA.**

1.) Building lines, right of ways, easements, restrictions, reservations and conditions, if any, as recorded in Map Book 13, Page 126.

2.) Subject to Covenants, conditions and restrictions (deleting therefrom, any restrictions indicating any preference, limitation or discrimination based on race, color, religion, sex, handicap, family status or national origin) as set forth in the document recorded in Real 253, Page 706 in the official records of Shelby County.

3.) Restrictions in favor of Alabama Power Company as recorded in Real 215, Page 505.

4.) Agreement in favor of Alabama Power Company as recorded in Real 215, Page 506.

5.) Right of Way to Alabama Power Company as recorded in Real 230, Page 813.

6.) Right of Way to Plantation Pipeline as recorded in Deed Book 112, Page 586.

7.) Right of Way to Shelby County as recorded in Deed Book 27, Page 722.

8.) Agreement in favor of Harbor Homes as recorded in Real 115, Page 895.

9.) 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 of property as a result of the exercise of such rights as recorded in Real 150, Page 265.

**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**, 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**, their heirs and assigns forever, against the lawful claims of all persons.

*CVK LSL*

IN WITNESS WHEREOF, GRANTOR(S) have hereunto set my (our) hand(s) and seal(s), this **June 21, 2004**

Charles V. Linker (Seal)  
Charles V. Linker  
Lisa S. Linker (Seal)  
Lisa S. Linker

STATE OF ALABAMA  
JEFFERSON COUNTY

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General Acknowledgment

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Charles V. Linker and wife, Lisa S. Linker, whose name(s) was (were) signed to the foregoing conveyance, and who is (are) known to me (or satisfactorily proven), acknowledged before me on this day, that, being informed of the contents of the conveyance they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 21st day of June, 2004.

Notary Public.  
(Seal)

JOSEPH CHARLES SOMMA  
NOTARY  
PUBLIC  
STATE OF ALABAMA AT LARGE

NOTARY PUBLIC STATE OF ALABAMA AT LARGE  
MY COMMISSION EXPIRES: Apr 24, 2006  
BONDED THRU NOTARY PUBLIC UNDERWRITERS