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This instrument was prepared by:
 Daniel P. Rosser
 Attorney At Law
 P.O. Box 59501
 Birmingham, AL 35259

SEND TAX NOTICE TO:

Cephas & Jeanine Martin
 220 Kensington Lane
 Alabaster, AL 35007

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

**STATE OF ALABAMA
COUNTY OF Shelby**



20041004000545200 Pg 1/2 29.00
 Shelby Cnty Judge of Probate, AL
 10/04/2004 10:27:00 FILED/CERTIFIED

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of **ONE HUNDRED SEVENTY-NINE THOUSAND AND NO/100'S (\$179,000.00) DOLLARS** to the undersigned grantor (whether one or more), in hand paid by the grantee herein, the receipt whereof is acknowledged, We, **CEPHAS MARTIN AND JEANINE MARTIN, HUSBAND AND WIFE** (herein referred to as grantor, whether one or more), grant, bargain, sell and convey unto **JAMES D HOLTZINGER AND LINDA R HOLTZINGER** (herein referred to as GRANTEES, whether one or more), as joint tenants with right of survivorship, the following described real estate, situated in **SHELBY County, Alabama** to-wit:

Lot 13, according to the Survey of Sterling Gate, Sector 1, as recorded in Map Book 19, Page 90, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

This conveyance is made subject to covenants, restrictions, reservations, easements and rights-of-ways, if any, heretofore imposed or record affecting Grantor's title to said property, and municipal zoning ordinances now or hereafter becoming applicable and taxes or assessments now or hereafter becoming due against said property.

\$164,000.00 of the consideration herein was derived from a mortgage loan closed simultaneously herewith.

The preparer of this instrument has served as a scrivener only and has not examined title to the property for purposes of Grantors's representations made herein or rendered any opinion with respect thereto.

TO HAVE AND TO HOLD to the said GRANTEES as joint tenants, with right of survivor ship, 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 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 stated 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 grantee, his, her or their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, we, **CEPHAS MARTIN AND JEANINE MARTIN, HUSBAND AND WIFE**, have hereunto set my (our) hand(s) and seal(s) this 28 day of **SEPTEMBER**, 2004

Cephas Martin (SEAL)
 CEPHAS MARTIN

Jeanine R. Martin (SEAL)
 JEANINE MARTIN

STATE OF
COUNTY OF

I, THE UNDERSIGNED, a Notary Public in and for said County, in said State, here by certify that **CEPHAS MARTN AND JEANINE MARTIN** whose names are signed to the foregoing conveyance, and who are known to me, 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 28th day of **SEPTEMBER**, 2004

Hope G. Hance
 Notary Public
 My commission expires 03/05

STATE OF
COUNTY OF

I, THE UNDERSIGNED, a Notary Public in and for said County, in said State, here by certify that **CEPHAS MARTN AND JEANINE MARTIN, HUSBAND AND WIFE** whose names are signed to the foregoing conveyance, and who are known to me, 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 26th day of SEPTEMBER, 2004

John G. Hance

Notary Public

My commission expires 03/05

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Shelby Cnty Judge of Probate, AL
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