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(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was prepared by:

SEND TAX NOTICE TO:

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

JAMES B. MARTIN
122 CEDAR BEND
HELENA, ALABAMA 35080

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 THIRTY FOUR THOUSAND EIGHT HUNDRED SEVENTY FIVE DOLLARS and 00/100 (\$134,875.00) to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, RUBY M. GARMON, an unmarried person (herein referred to as GRANTORS) do grant, bargain, sell and convey unto JAMES B. MARTIN and JOANNAH MARTIN, (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 4, BLOCK 1, ACCORDING TO THE SURVEY OF CEDAR BEND, PHASE 1, AS RECORDED IN MAP BOOK 17, PAGE 139, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

SUBJECT TO:

1. TAXES FOR THE YEAR BEGINNING OCTOBER 1, 2004 WHICH CONSTITUTES A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 2004.
2. BUILDING SET BACK LINE OF 20 FEET RESERVED FROM ROY DRIVE AND CEDAR BEND DRIVE, AS SHOWN BY RECORDED PLAT.
3. RESTRICTIONS, AS SETFORTH IN INSTRUMENT 1994-25594.
4. TRANSMISSION LINE PERMIT TO ALABAMA POWER COMPANY, AS SHOWN BY INSTRUMENT RECORDED IN DEED BOOK 109, PAGE 582, DEED BOOK 174, PAGE 306 AND DEED BOOK 226 PAGE 533.
5. EASEMENT TO SOUTHERN NATURAL GAS, AS SHOWN BY INSTRUMENT RECORDED IN DEED BOOK 90 PAGE 480 AND DEED BOOK 142 PAGE 545.
6. EASEMENT TO PLANTATION PIPELINE CO., AS SHOWN BY INSTRUMENT RECORDED IN DEED BOOK 112 PAGE 207.
7. RESTRICTIONS, LIMITATIONS AND CONDITIONS, AS SETFORTH IN MAP BOOK 17 PAGE 139.

8. AGREEMENT WITH ALABAMA POWER COMPANY, AS TO COVENANT PERTAINING TO UNDERGROUND CABLES RECORDED IN INSTRUMENT 1994-1181.
9. PERMIT TO V.B. CURRIE FOR PIPELINE AS SHOWN BY DEED BOOK 139, PAGE 201.
10. TITLE TO ALL MINERAL WITHIN AND UNDERLYING THE PREMISES, TOGETHER WITH ALL MINING RIGHTS AND OTHER RIGHTS PRIVILEGES AND IMMUNITIES RELATING THERETO AS RECORDED IN INSTRUMENT 1995-03898.

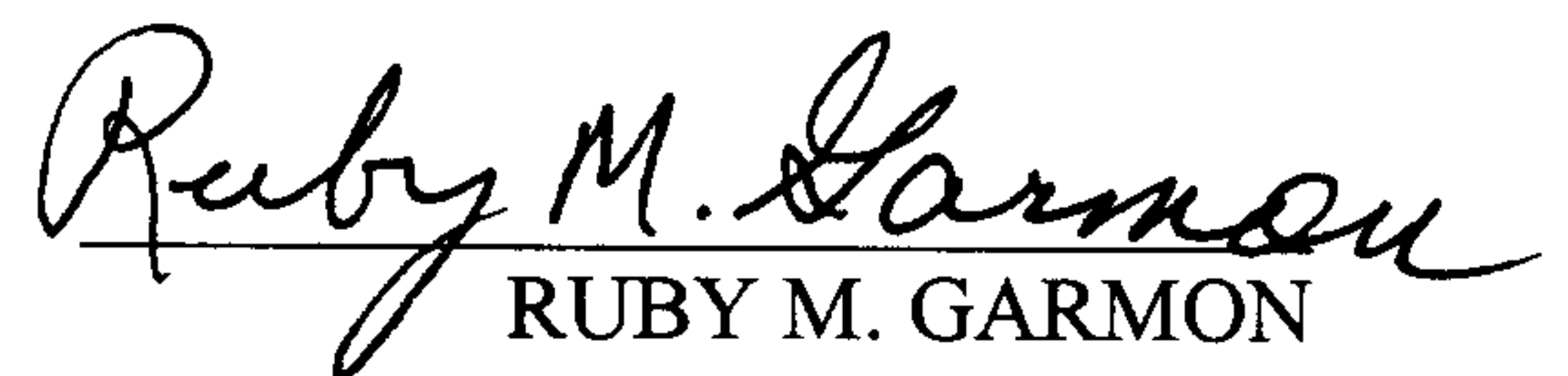
\$107,900.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

\$13,400.00 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, RUBY M. GARMON, an unmarried person, have hereunto set his, her or their signature(s) and seal(s), this the 30th day of November, 2004.


RUBY M. GARMON

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that RUBY M. GARMON, An unmarried person, 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 30th day of November, 2004.


Notary Public

My commission expires: 10.2.05