

This instrument was prepared by:
Mary L. Gifford, Attorney at Law
2080 Valleydale Road, Ste. 16
Birmingham, AL 35244

Send Tax Notice To:

Brian Harmon and Sarah
681 Treymoor Lake Circle
Alabaster, AL 35007

20041221000696340 Pg 1/2 16.00
Shelby Cnty Judge of Probate, AL
12/21/2004 15:50:00 FILED/CERTIFIED

STATE OF ALABAMA

COUNTY OF SHELBY

SALES PRICE: \$115,000.00

WARRANTY DEED
JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

KNOW ALL MEN BY THESE PRESENTS, that in consideration of the sum of Ten and 00/100 Dollars (\$10.00) to the undersigned Grantor, in hand paid by the Grantees herein, the receipt whereof is hereby acknowledged, we, Patricia J. Gardner aka Patricia J. Gardner Momenee and husband, James Momenee, herein referred to as Grantor, whether one or more, do grant, bargain, sell and convey unto Brian Harmon and Sarah Alvarado, herein referred to as Grantees, as joint tenants with right of survivorship the following described real estate situated in Shelby County, Alabama to-wit:

See Legal Description attached as Schedule A

This deed is being recorded simultaneously with a mortgage of \$115,000.00.

- Subject to:
- (1) Ad valorem taxes for the year 2005 and all subsequent years, not yet due and payable
 - (2) Mineral and/or mining rights not owned by Seller
 - (3) Utility easements serving the property, residential subdivision covenants and restrictions, and building lines of record, provided that none of the foregoing materially impair use of the property for residential purposes.
 - (4) All easements, rights-of-way, restrictions and encumbrances of record
 - (5) Present Zoning Classification Residential

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 WE DO for ourselves and for our heirs, executors and administrators covenant with said Grantees, their heirs and assigns, that we are lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise stated above; that we have a good right to sell and convey the same as aforesaid; that we will, and 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.

IN WITNESS WHEREOF, we have hereto set forth my hand and seal this 1st day of December, 2004.

GRANTORS:

Patricia J. Gardner aka Patricia J. Gardner Momenee *James Momenee*
Patricia J. Gardner aka Patricia J. Gardner Momenee James Momenee

STATE OF ALABAMA

COUNTY OF SHELBY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Patricia J. Gardner Momenee and James Momenee, whose names are signed to the foregoing conveyance, are either known to me or have proven their identities to me by good and sufficient evidence and that, having been informed of the contents of the above document, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 1st day of December, 2004.

Mary L. Gifford
Notary Public: Mary L. Gifford
My Commission expires: 07/06/05

Legal Description

Schedule A

Lot 562, according to the Survey of Weatherly, Aberdeen, Sector 18,
as recorded in Map Book 21, Page 148, in the Probate Office of
Shelby County, Alabama; being situated in Shelby County, Alabama.

gjm gwm