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

SEND TAX NOTICE TO: James Evan Duffy III and Dawn Bailey-Duffy 7036 Meadow Lark DrivE Birmingham AL 35242

20050308000105700 1/1 \$96.00 Shelby Cnty Judge of Probate, AL

03/08/2005 10:35:15AM FILED/CERT

WARRANTY DEED JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

STATE OF ALABAMA **COUNTY OF Shelby**

Shelby County, AL 03/08/2005 State of Alabama Real Estate Excise Tax Deed Tax: \$85.00

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of EIGHTY-FIVE THOUSAND AND NO/100'S (\$85,000.00) DOLLARS to the undersigned grantor (whether one or more), in hand paid by the grantee herein, the receipt whereof is acknowledged, We, **JERRY M** CLEMENTS AND PATRICIA F CLEMENTS, HUSBAND AND WIFE (herein referred to as grantor, whether one or more), grant, bargain, sell and convey unto **JAMES EVAN DUFFY III AND DAWN BAILEY-DUFFY** (herein referred to as GRANTEES, whether one or more), as joint tenants with right of survivorship, the following described real estate, situated in <u>SHELBY</u> County, Alabama to-wit:

Lot 26-A, according to the Survey of The Shires, Phase III, Sector I, as recorded in Map Book 18, Page 35, in the Probate Office of Shelby County, Alabama.

This conveyance is made subject to covenants, restrictions, reservations, easements and rights-of-ways, if any, heretofore imposed of 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.

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, JERRY M CLEMENTS AND PATRICIA F CLEMENTS, HUSBAND AND WIFE, have hereunto set my (our) hand(s) and seal(s) this the 2ND day of MARCH, 2005

STATE OF ALABAMA COUNTY OF SHELBY

I, THE UNDERSIGNED, a Notary Public in and for said County, in said State, here by certify that JERRY M CLEMENTS AND PATRICIA F CLEMENTS, 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

2ND

day of MARCH

2005

Notary Public

My commission expires

Return to: Surety Land Title, Inc 300 Office Park Drive Suite 216 Birmingham, AL 35223