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20050314000112860 1/2 \$114.00  
Shelby Cnty Judge of Probate, AL  
03/14/2005 08:31:58AM FILED/CERT

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was prepared by:

SEND TAX NOTICE TO:

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

EUGENE A. VONDERAU  
300 SOUTH COVE COURT  
HELENA, AL 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 FOUR HUNDRED TWENTY THOUSAND DOLLARS and 00/100 (\$420,000.00) to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, JAMES VAN PILKINTON and SANDRA PILKINTON, HUSBAND AND WIFE (herein referred to as GRANTORS) do grant, bargain, sell and convey unto EUGENE A. VONDERAU and MARY LOU VONDERAU, HUSBAND AND WIFE, (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 8 ACCORDING TO THE SURVEY OF SUBDIVISION OF LOTS 1 AND 4 SOUTH COVE 3<sup>RD</sup> SECTOR AS RECORDED IN MAP BOOK 21, PAGE 70 SHELBY COUNTY, ALABAMA RECORDS.

SUBJECT TO:

1. TAXES FOR THE YEAR 200 4 WHICH CONSTITUTE A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 2005.
2. BUILDING AND SETBACK LINES OF 40 FEET AS RECORDED IN MAP BOOK 21, PAGE 70 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
3. 15 FOOT EASEMENT ON REAR LOT LINE AS PER PLAT.
4. SUBJECT TO COVENANTS CONDITIONS AND RESTRICTIONS AS SET FORTH IN REAL BOOK 267, PAGE 890 AMENDED IN INSTRUMENT 1994-31178 AND INSTRUMENT NO. 1996-24093 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
5. 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 OR PROPERTY AS A RESULT OF THE EXERCISE OF SUCH RIGHTS.
6. GRANTEE SHALL CONTRIBUTE RATABLY WITH THE OTHER PROPERTY OWNERS IN THE SUBDIVISION TO THE COST OF ANY MATERIALS AND LABOR USED IN THE REPAIR AND MAINTENANCE OF SOUTH COVE COURT, DRAINAGE FACILITIES AND STRUCTURES ASSOCIATED THEREWITH AS SHOWN ON THE PLAT OF SAID SUBDIVISION.

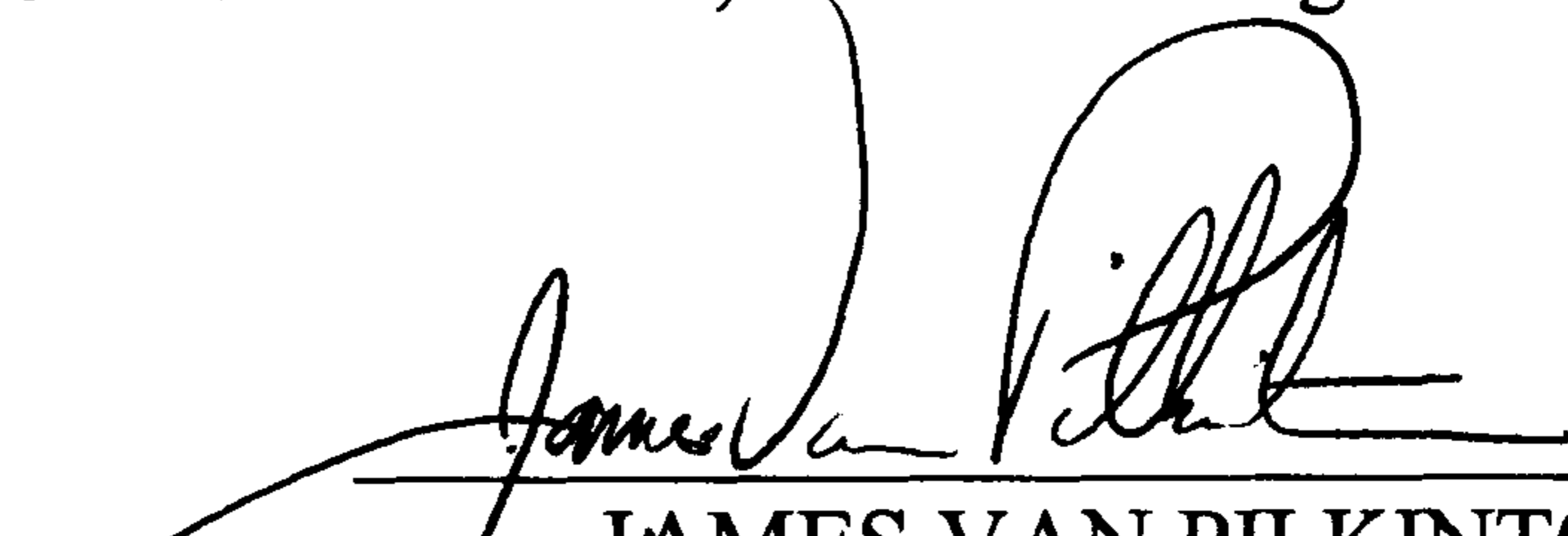
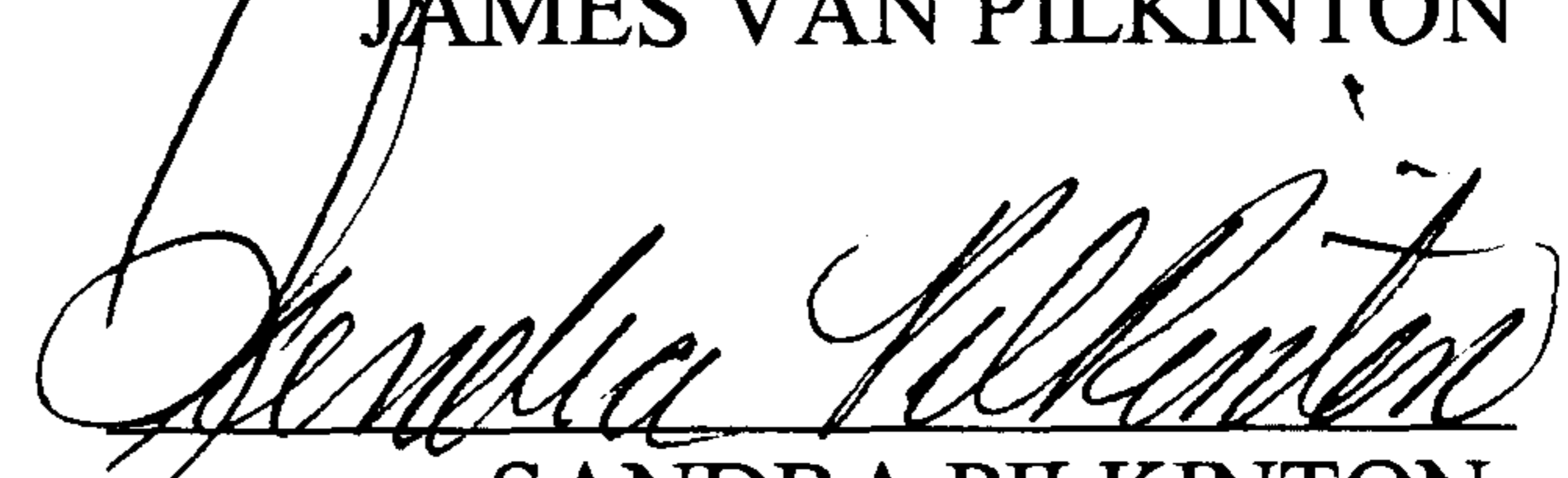
Shelby County, AL 03/14/2005  
State of Alabama  
Real Estate Excise Tax  
Deed Tax: \$100.00

\$320,000.00 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, JAMES VAN PILKINTON and SANDRA PILKINTON, HUSBAND AND WIFE, have hereunto set his, her or their signature(s) and seal(s), this the 22nd day of February, 2005.

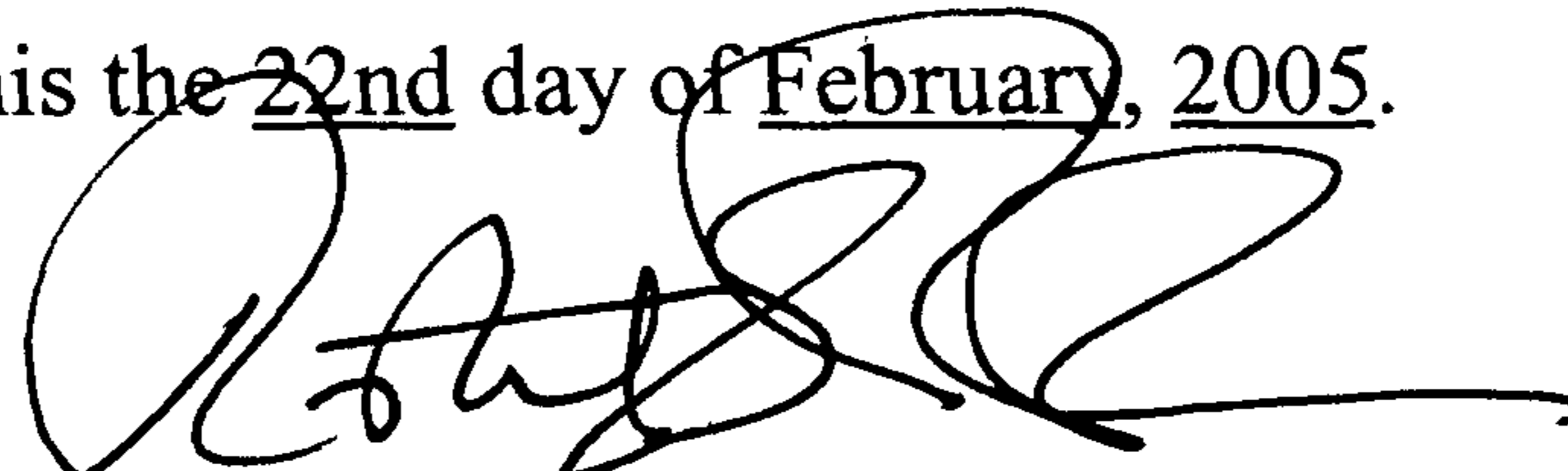
  
\_\_\_\_\_  
JAMES VAN PILKINTON  
  
\_\_\_\_\_  
SANDRA PILKINTON

STATE OF ALABAMA)  
COUNTY OF SHELBY)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that JAMES VAN PILKINTON and SANDRA PILKINTON, HUSBAND AND WIFE, 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 22nd day of February, 2005.

  
\_\_\_\_\_  
Notary Public

My commission expires: 7/11/06