12076
SC

20050314000112900 1/2 $49.00
Shelby Cnty Judge of Probate, AL
03/14/2005 08:32:02AM FILED/CERT

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was prepared by:

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

SEND TAX NOTICE TO:

ARMA L. CARTER
1037 STONE CREEK DRIVE
HELENA, AL 35080

STATE OF ALABAMA)

COUNTY OF SHELBY)

JOINT TENANTS WITH RIGHT OF SURVIVORSHIP
STATUTORY WARRANTY DEED

Know All Men by These Presents: That in consideration of ONE HUNDRED SEVENTY FOUR THOUSAND NINE HUNDRED DOLLARS and 00/100 ($174,900.00) DOLLARS to the undersigned grantor, AMERICAN HOMES AND LAND CORPORATION, in hand paid by the GRANTEES herein, the receipt of which is hereby acknowledged, the said GRANTOR, does by these presents, grant, bargain, sell and convey unto ARMA L. CARTER and LYNN CARTER, 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 1601, ACCORDING TO THE SURVEY OF OLD CAHABA IV, SECOND ADDITION, PHASE ONE, RECORDED IN MAP BOOK 33 AT PAGE 110 RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE 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, 2005.

2. SUBJECT TO MATTERS SHOWN ON RECORDED MAP BOOK 33 PAGE 80.

3. RESTRICTIONS APPEARING OF RECORD IN INST. NO. 20040610000313070.

4. TITLE TO THAT PORTION OF INSURED PREMISES LYING BELOW THE MEAN HIGH WATER MARK OF CAHABA RIVER.

5. RIPARIAN AND LITTORAL RIGHTS INCIDENT TO INSURED PREMISES.

6. RIGHTS OF THIRD PARTIES, INCLUDING THE PUBLIC AT LARGE WITH RESPECT TO ANY PORTION OF THE PROPERTY LOCATED IN A PUBLIC RIGHT OF WAY IF ANY.

7. TITLE TO ALL MINERALS, OIL AND GAS WITHIN AND UNDERLYING THE PREMISES, TOGETHER WITH ALL MINING RIGHTS AND OTHER RIGHTS, PRIVILEGES AND IMMUNITIES RELATING THERETO, AS RESERVED IN BOOK 15 AT PAGE 415, BOOK 61 AT PAGE 164, REAL VOLUMES 133 AT PAGE 277 AND REAL VOLUME 321 AT PAGE 629.

8. RIGHTS OF CLAIMS OF PARTIES IN POSSESSION NOT SHOWN BY THE PUBLIC RECORDS.

Shelby County, AL 03/14/2005
State of Alabama
Real Estate Excise Tax
Deed Tax:$35.00

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9. ENCROACHMENTS, OVERLAPS, BOUNDARY LINE DISPUTES, VARIATIONS OR SHORTAGES IN AREA OR CONTENT AND ANY OTHER MATTERS WHICH WOULD BE DISCLOSED BY AN ACCURATE SURVEY AND/OR INSPECTION OF THE PREMISES.

10. ROADS, STREAMS, WAYS OR EASEMENTS OR CLAIMS OR EASEMENTS NOT SHOWN BY THE PUBLIC RECORDS, RIPARIAN RIGHTS AND TITLE TO ANY FILLED IN LAND.

11. ANY LIEN, OR RIGHT TO A LIEN, FOR SERVICES, LABOR OR MATERIALS HERETOFORE OR HEREAFTER FURNISHED, IMPOSED BY LAW AND NOT SHOWN BY THE PUBLIC RECORDS.

12. ANY ASSESSMENT WHICH IS A LIEN, BUT NOT YET CERTIFIED TO PROPER TAX AUTHORITY.

1. TAXES FOR THE YEAR BEGINNING OCTOBER 1, 2003 WHICH CONSTITUTES A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 2004.

$139,920.00 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.

IN WITNESS WHEREOF, the said GEORGE M. VAUGHN AS CLOSING AGENT OF AMERICAN HOMES AND LAND CORPORATION, has hereunto subscribed her name on this the 28th day of February, 2005.

AMERICAN HOMES AND LAND CORPORATION

Clos. Agent

GEORGE M. VAUGHN, CLOSING AGENT

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that GEORGE M. VAUGHN, whose name as CLOSING AGENT of AMERICAN HOMES AND LAND CORPORATION, an Alabama Limited Liability Company, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he or she, as such officer and with full authority, executed the same voluntarily for and as the act of said limited liability company.

Given under my hand this the 28th day of February, 2005.

Notary Public

My commission expires: 10-2-05