

## (RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was prepared by:

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STATE OF ALABAMA)
COUNTY OF SHELBY)

### SEND TAX NOTICE TO:

BOBBY S. HOWARD 933 COLONIAL DRIVE ALABASTER, AL 35007

# JOINT TENANTS WITH RIGHT OF SURVIVORSHIP WARRANTY DEED

Know All Men by These Presents: That in consideration of ONE HUNDRED SEVENTY SEVEN THOUSAND NINE HUNDRED DOLLARS and 00/100 (\$177,900.00) to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, KENNETH E. GRAHAM and LAURA GRAHAM, HUSBAND AND WIFE (herein referred to as GRANTORS) do grant, bargain, sell and convey unto BOBBY S. HOWARD and HEATHER D. HOWARD, 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:

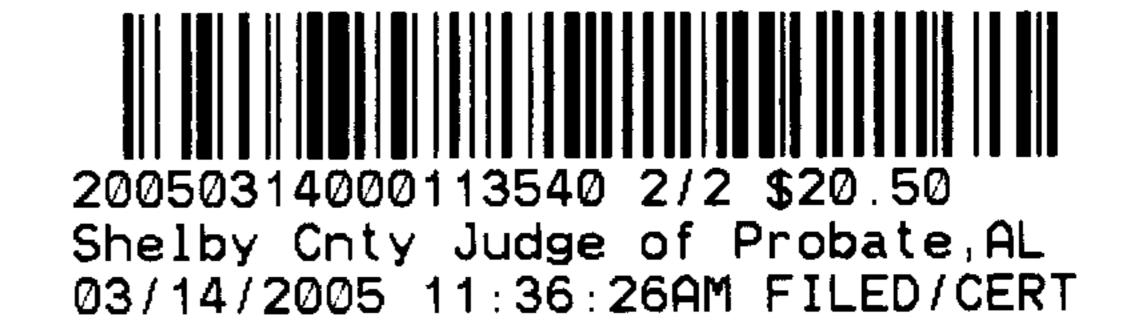
LOT 85 ACCORDING TO THE SURVEY OF NAVAJO HILLS NINTH SECTOR AS RECORDED IN MAP BOOK 10 PAGE 84 A AND B IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

### SUBJECT TO:

- 1. TAXES FOR THE YEAR 2004 WHICH CONSTITUTE A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 2005.
- 2. BUILDING SETBACK LINE OF 35 FEET RESERVED FROM COLONIAL WAY AND COLONIAL DRIVE AS SHOWN BY PLAT.
- 3. EASEMENTS AS SHOWN BY RECORDED PLAT INCLUDING 7.5 FEET ON REAR OF LOT.
- 4. RESTRICTIONS COVENANTS AND CONDITIONS AS SET OUT IN INSTRUMENT RECORDED IN REAL 113, PAGE 906 IN THE PROBATE OFFICE.
- 5. EASEMENTS TO ALABAMA POWER COMPANY AS SHOWN BY INSTRUMENT RECORDED IN REAL 133, PAGE 540 AND CORRECTED IN REAL 181, PAGE 663 IN PROBATE OFFICE.
- 6. RESTRICTIONS LIMITATIONS AND CONDITIONS AS SET OUT IN MAP BOOK 10, PAGE 84.

\$171,540.00 of the consideration 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, KENNETH E. GRAHAM and LAURA GRAHAM, HUSBAND AND WIFE, have hereunto set his, her or their signature(s) and seal(s), this the 18th day of February, 2005.

KENNETH E. GRAHAM

LAURA GRAHAM

STATE OF ALABAMA)
COUNTY OF SHELBY)

#### ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that KENNETH E. GRAHAM and LAURA GRAHAM, 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 18th day of February, 2005.

Notary Public