



(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was prepared by:

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Birmingham, Alabama 35244

SEND TAX NOTICE TO:

KERRY JUAN HIGGS 216 SILVER CREEK PARKWAY MONTEVALLO, ALABAMA 35115

STATE OF ALABAMA)
COUNTY OF SHELBY)

JOINT TENANTS WITH RIGHT OF SURVIVORSHIP WARRANTY DEED

Know All Men by These Presents: That in consideration of ONE HUNDRED THIRTY NINE THOUSAND NINE HUNDRED DOLLARS and 00/100 (\$139,900.00) to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, MAURICE N. WAUGH and APRIL D. WAUGH, HUSBAND AND WIFE (herein referred to as GRANTORS) do grant, bargain, sell and convey unto KERRY JUAN HIGGS and LANITA MICHELLE HIGGS-JACKSON, (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 19 ACCORDING TO THE MAP AND SURVEY OF SILVER CREEK SECTOR 1 AS RECORDED IN MAP BOOK 26, PAGE 144 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. 30 FOOT BUILDING SETBACK LINE FROM SILVER CREEK PARKWAY AS SHOWN ON THE RECORDED MAP OF SAID SUBDIVISION.
- 3. 5 FOOT EASEMENT LOCATED ALONG THE SOUTH LOT LINE AS SHOWN ON THE RECORDED MAP OF SAID SUBDIVISION.
- 4. TRANSMISSION LINE PERMIT TO ALABAMA POWER COMPANY AS RECORDED IN DEED BOOK 105, AGE 25; DEED BOOK 105, PAGE 26 AND DEED BOOK 117, PAGE 280.
- 5. EASEMENT GRANTED TO PLANTATION PIPE LINE BY INSTRUMENT RECORDED IN DEED BOOK 112, AGE 378.
- 6. AGREEMENT TO CITY OF ALABASTER RECORDED IN INSTRUMENT 1998-29227.
- 7. TERMS PROVISIONS COVENANTS CONDITIONS RESTRICTION EASEMENTS CHARGES ASSESSMENTS AND LIENS PROVIDED IN THE COVENANTS CONDITIONS AND RESTRICTIONS RECORDED IN INSTRUMENT 2000-30023.
 - \$142,907.00 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, MAURICE N. WAUGH and APRIL D. WAUGH, HUSBAND AND WIFE, have hereunto set his, her or their signature(s) and seal(s), this the 29th day of April, 2005.

MAURICE N. WAUGH

APRIL D. WAUGH

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that MAURICE N. WAUGH and APRIL D. WAUGH, 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 29th day of April, 2005.

Notary Public

My commission expires: