

12759



20050725000372390 1/2 \$15.00
Shelby Cnty Judge of Probate,AL
07/25/2005 03:52:03PM FILED/CERT

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was prepared by:

SEND TAX NOTICE TO:

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

STEVEN A. LUND
113 CAMDEN CIRCLE
ALABASTER, AL 35007

STATE OF ALABAMA)
COUNTY OF SHELBY)

**JOINT TENANTS WITH RIGHT OF SURVIVORSHIP
WARRANTY DEED**

Know All Men by These Presents: That in consideration of TWO HUNDRED TWENTY FIVE THOUSAND DOLLARS and 00/100 (\$225,000.00) to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, LYLE S. CUNNINGHAM, AN UNMARRIED WOMAN (herein referred to as GRANTORS) do grant, bargain, sell and convey unto STEVEN A. LUND and KOURTNEY G. LUND, 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 36, ACCORDING TO THE SURVEY OF STERLING GATE, SECTOR 1, AS RECORDED IN MAP BOOK 19, PAGE 90 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

SUBJECT TO:

1. TAXES FOR THE YEAR 2005, A LIEN, BUT NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 2005.
2. RIGHT OF WAY TO ALABAMA WATER AND GAS COMPANY IN REAL VOLUME 124, PAGE 255.
3. RIGHT OF WAY TO SHELBY COUNTY IN DEED BOOK 280, PAGE 336 AND DEED BOOK 280, PAGE 340.
4. RIGHTS, IF ANY, CONVEYED TO BOARD OF REVENUE SHELBY COUNTY IN DEED DATED 7-16-23 IN DEED BOOK 76, PAGE 324.
5. EASEMENT TO SOUTHERN NATURAL GAS CORPORATION IN DEED BOOK 90, PAGE 445 AND DEED BOOK 90, PAGE 333.
6. RESTRICTIONS AND COVENANTS APPEARING OF RECORD IN INSTRUMENT NO. 1995-3878, INSTRUMENT NO.1995/9508, INSTRUMENT NO.1997/15575, INSTRUMENT NO. 1998/38707 AND INSTRUMENT NO.2000/2330.
7. TITLE TO ALL MINERALS WITHIN AND UNDERLYING THE PREMISE, TOGETHER WITH ALL MINING RIGHTS AND OTHER RIGHTS, PRIVILEGES AND IMMUNITIES RELATING THERETO AS RECORDED IN INSTRUMENT NO. 1999/49429.

\$225,000.00 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, LYLE S. CUNNINGHAM, AN UNMARRIED WOMAN, have hereunto set his, her or their signature(s) and seal(s), this the 8th day of July, 2005.



LYLE S. CUNNINGHAM

STATE OF ALABAMA)
COUNTY OF SHELBY)

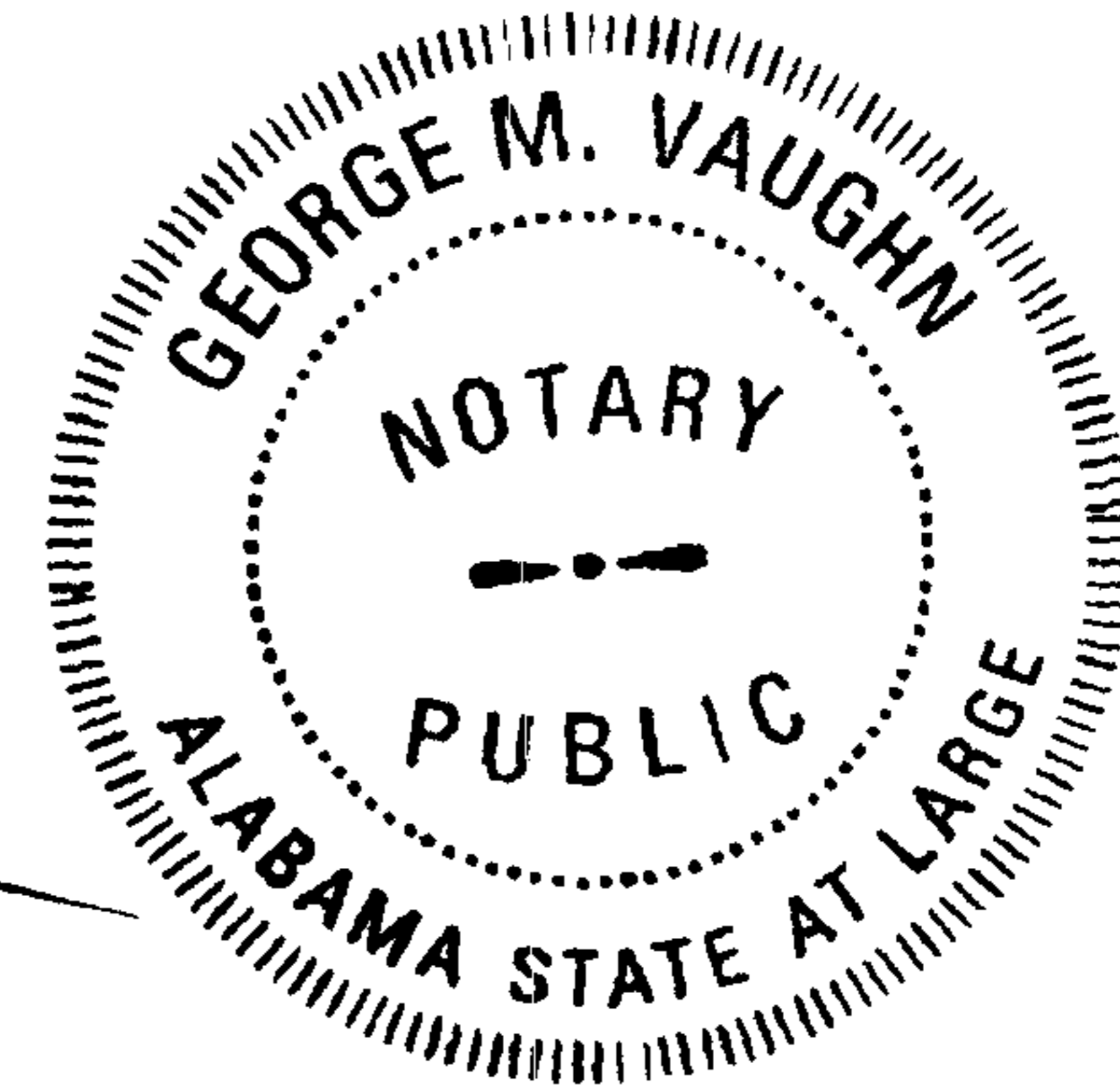
ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that LYLE S. CUNNINGHAM, AN UNMARRIED WOMAN, 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 8th day of July, 2005.



Notary Public



My commission expires: 9-29-06