

## (RECORDING INFORMATION ONLY ABOVE THIS LINE)

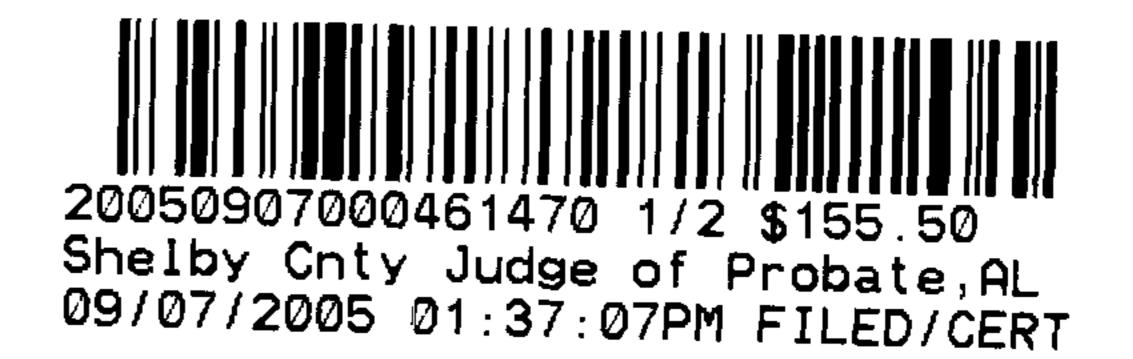
This Instrument was prepared by:

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

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

SEND TAX NOTICE TO:

JAMES E. PORTER 1195 BERWICK ROAD BIRMINGHAM, AL 35242



## JOINT TENANTS WITH RIGHT OF SURVIVORSHIP WARRANTY DEED

Know All Men by These Presents: That in consideration of ONE HUNDRED SEVENTY TWO THOUSAND FIVE HUNDRED DOLLARS and 00/100 (\$172,500.00) to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, PATRICIA S. CISSELL, AN UNMARRIED WOMAN (herein referred to as GRANTORS) do grant, bargain, sell and convey unto JAMES E. PORTER and GERALDINE D. PORTER, 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 JEFFERSON County, Alabama, to-wit:

LOT 133-A, ACCORDING TO A RESURVEY OF LOTS 129 THROUGH 178, GREYSTONE RIDGE GARDEN HOMES, AS RECORDED IN MAP BOOK 17, PAGE 28, 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. BUILDING SETBACK LINE AS SHOWN IN DECLARATION OF GREYSTONE RIDGE COVENANTS, CONDITIONS AND RESTRICTIONS AS RECORDED IN DOCUMENT 1992-4720 IN THE RECORDED MAP OF SAID SUBDIVISION.
- TRANSMISSION LINE PERMIT TO ALABAMA POWER COMPANY AS RECORDED IN DEED BOOK 141, PAGE 180, REAL 333, PAGE 201 AND REAL 377, PAGE 441.
- 4. RESERVATION OF MINERAL AND MINING RIGHTS IN THE INSTRUMENT RECORDED IN DEED BOOK 4, PAGES 486, 493 AND 495, TOGETHER WITH THE APPURTENANT RIGHTS TO USE THE SURFACE. THE COMPANY MAKES NO REPRESENTATION AS TO THE PRESENT OWNERSHIP OF THIS INTEREST.
- 5. RIGHTS OF OTHERS TO USE HUGH DANIEL DRIVE RECORDED IN DEED BOOK 301, PAGE 799.
- 6. COVENANT AND AGREEMENT FOR WATER SERVICE AS SET OUT IN INSTRUMENT BETWEEN DANTRACT AND SHELBY COUNTY, AS SET OUT IN REAL 235, PAGE 574.
- 7. RESTRICTIONS, COVENANTS, CONDITIONS AND BUILDING SETBACK LINES AS SET OUT IN AMENDED RESTATED RESTRICTIVE COVENANTS RECORDED IN REAL 265, PAGE 96.
- 8. GREYSTONE MULTI-FAMILY DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS, AS RECORDED IN REAL 316, PAGE 239 AS AMENDED BY FIRST AMENDMENT RECORDED IN REAL 319, PAGE 238, SECOND AMENDMENT AS RECORDED IN REAL 336, PAGE 281; THIRD AMENDMENT AS RECORDED IN INSTRUMENT #1992-4710; AND FOURTH AMENDMENT AS RECORDED IN INSTRUMENT #1993-10164.

- 9. GREYSTONE RIDGE GARDEN HOMES AND FIRST ADDITION TO GREYSTONE RIDGE GARDEN HOMES DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS AS RECORDED IN INSTRUMENT #1992-4720 AND AMENDED IN INSTRUMENT #1995-14647.
- 10. RECIPROCAL EASEMENT AGREEMENT PERTAINING TO ACCESS AND ROADWAY EASEMENTS, AS SET OUT IN REAL 312, PAGE 274 AND 1<sup>ST</sup> AMENDMENT IN REAL 317, PAGE 253 AND 2<sup>ND</sup> AMENDMENT AS INSTRUMENT # 1993-3124.
- 11. AGREEMENT BETWEEN DANIEL OAK MOUNTAIN LIMITED PARTNERSHIP AND SHELBY CABLE, INC, RECORDED IN REAL 350, PAGE 545.
- 12. EASEMENT TO ALABAMA POWER COMPANY AS RECORDED IN INSTRUMENT # 1992-26820 AND AMENDED PUD INSTRUMENT #1996-31891.

\$31,222.45 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, PATRICIA S. CISSELL, AN UNMARRIED WOMAN, have hereunto set his, her or their signature(s) and seal(s), this the 26th day of August, 2005.

PATRICIA S. CISSELL

20050907000461470 2/2 \$155.50

NOTARY

Shelby Cnty Judge of Probate, AL

09/07/2005 01:37:07PM FILED/CERT

STATE OF ALABAMA) COUNTY OF SHELBY)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that PATRICIA S. CISSELL, 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 26th flay of August, 2005.

Notary Public

My commission expires: