

13405

20051019000544350 1/2 \$182.00
Shelby Cnty Judge of Probate, AL
10/19/2005 02:36:54PM FILED/CERT

Shelby County, AL 10/19/2005
State of Alabama

Deed Tax: \$168.00

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was prepared by:

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PADEN & PADEN
Attorneys at Law
5 Riverchase Ridge, Suite 100
Birmingham, Alabama 35244

SEND TAX NOTICE TO:

JACKIE R. JOHNSTON
317 WYNLAKE CIRCLE
ALABASTER, AL 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 SIXTY EIGHT THOUSAND DOLLARS and 00/100 (\$168,000.00) to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, KENNETH M. HOUPPT and SHARON K. HOUPPT, HUSBAND AND WIFE (herein referred to as GRANTORS) do grant, bargain, sell and convey unto JACKIE R. JOHNSTON and BELINDA JOHNSTON, 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 12, ACCORDING TO THE SURVEY OF PHASE 1, WYNLAKE SUBDIVISION, AS RECORDED IN MAP BOOK 19, PAGE 156, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

SUBJECT TO:

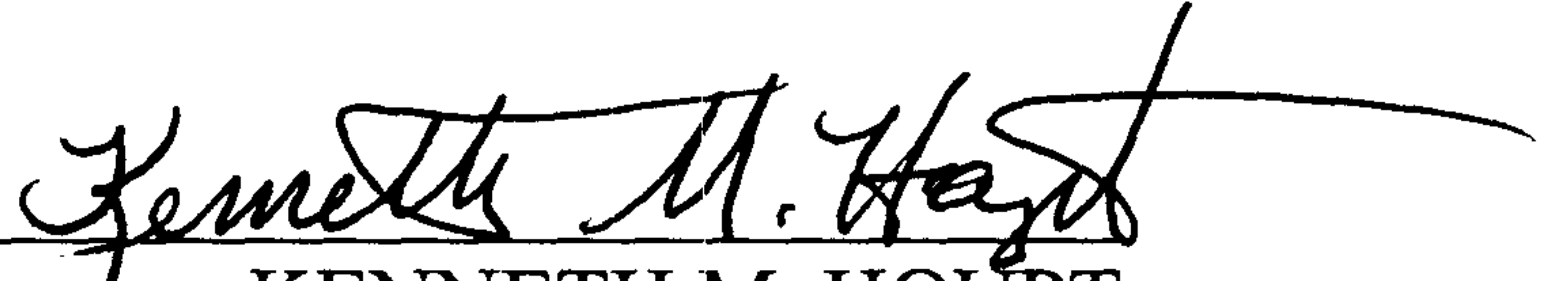
1. TAXES FOR THE YEAR 2005, A LIEN, BUT NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 2006.
2. RESTRICTIONS AND COVENANTS APPEARING OF RECORD IN INSTRUMENT 1995-30873 AND INSTRUMENT 1995-30874 AND INSTRUMENT 1997-22249, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
3. RIGHT OF WAY GRANTED TO ALABAMA POWER COMPANY BY INSTRUMENT RECORDED IN REAL 40, PAGE 202 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
4. EASEMENT TO ALABAMA POWER COMPANY RECORDED IN DEED BOOK 101, PAGE 76; DEED BOOK 121, PAGE 191 AND DEED BOOK 138, PAGE 317, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
5. MINERAL AND MINING RIGHTS AND RIGHTS INCIDENT THERETO RECORDED IN DEED BOOK 15, PAGE 375, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

\$.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, KENNETH M. HOIPT and SHARON K. HOIPT, HUSBAND AND WIFE, have hereunto set his, her or their signature(s) and seal(s), this the 14th day of October, 2005.


KENNETH M. HOIPT

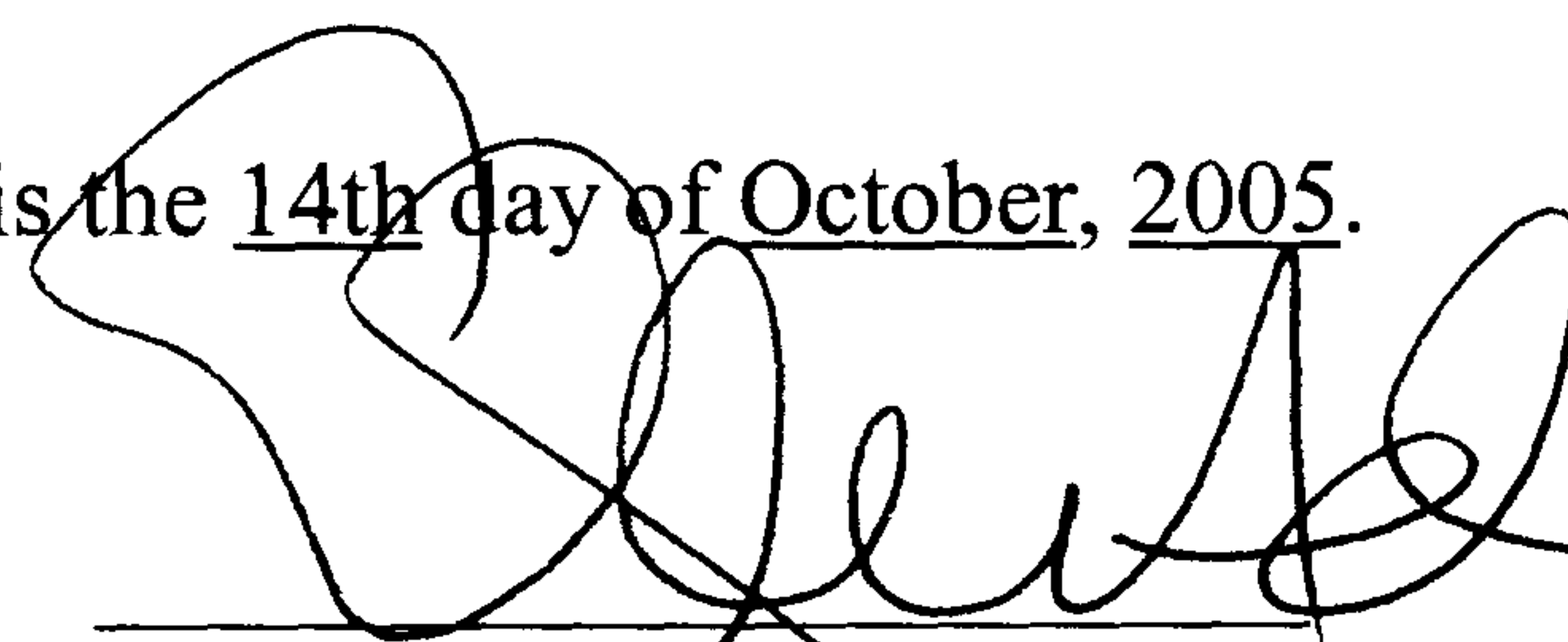

SHARON K. HOIPT

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 M. HOIPT and SHARON K. HOIPT, 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 14th day of October, 2005.


Notary Public

My commission expires: 9-27-09

