13888

20060202000055470 1/2 $41.00
Shelby Cnty Judge of Probate,AL
02/02/2006 02:34:58PM FILED/CERT

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was prepared by:
PADEN & PADEN
5 Riverchase Ridge
Birmingham, Alabama 35244

SEND TAX NOTICE TO:
JOANNA C. GARNER
1015 KERRY DRIVE
CALERA, AL 35040

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 SEVENTY SEVEN THOUSAND NINE HUNDRED DOLLARS and 00/100 ($177,900.00) to the undersigned grantor, MB & C - KINSALE, LLC, AN ALABAMA LIMITED LIABILITY COMPANY in hand paid by the GRANTEES herein, the receipt of which is hereby acknowledged, the said GRANTOR, does by these presents, grant, bargain, sell and convey unto JOANNA C. GARNER and STEVE W. GARNER, WIFE AND HUSBAND, (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 41, ACCORDING TO THE SURVEY OF KINSALE GARDEN HOMES, 1ST SECTOR, AS RECORDED IN MAP BOOK 34, PAGE 16, IN THE OFFICE OF THE JUDGE OF PROBATE OF SHELBY COUNTY, ALABAMA.

SUBJECT TO:

1. TAXES FOR THE YEAR BEGINNING OCTOBER 1, 2005 WHICH CONSTITUTES A LIEN BUT IS NOT DUE AND PAYABLE UNTIL OCTOBER 1, 2006.

2. MUNICIPAL IMPROVEMENTS, ASSESSMENTS AND FIRE DISTRICT DUES AGAINST SUBJECT PROPERTY, IF ANY.

3. BUILDING AND SETBACK LINES OF 35 FEET AS RECORDED IN MAP BOOK 34 PAGE 16.

4. 8 FOOT UTILITY EASEMENT ON FRONT LOT LINE AS PER PLAT.

5. TITLE TO ALL OIL, GAS AND MINERALS WITHIN AND UNDERLYING THE PREMISES, TOGETHER WITH ALL OIL AND MINING RIGHTS AND OTHER RIGHTS, PRIVILEGES AND IMMUNITIES RELATING THERETO, TOGETHER WITH ANY RELEASE OF LIABILITY FOR INJURY OR DAMAGE TO PERSONS OR PROPERTY AS A RESULT OF THE EXERCISE OF SUCH RIGHTS RECORDED IN INST. NO. 20040331000163160.

6. SUBJECT TO COVENANTS, CONDITIONS AND RESTRICTIONS AS SET FORTH IN DOCUMENT RECORDED IN INST. NO. 20041008000557170.

7. DISTRIBUTION EASEMENT TO ALABAMA POWER COMPANY AS RECORDED IN INST. NO. 20050203000056380.

$151,215.00 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 said GRANTOR does for itself, its successors and assigns, covenant with the said GRANTEES, his, her, or their heirs and assigns, that it is lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that it has a good right to sell and convey the same as aforesaid, and that it will and its successors and assigns 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 GRANTOR, MB & C - KINSALE, LLC, by its MEMBER, J. HARRY BLALOCK who is authorized to execute this conveyance, has hereunto set its signature and seal, this the 31st day of January, 2006.

MB & C - KINSALE, LLC

By:_____

J. HARRY BLALOCK, MEMBER

STATE OF ALABAMA)
COUNTY OF SHELBY)

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ACKNOWLEDGMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that J. HARRY BLALOCK, whose name as MEMBER of MB & C - KINSALE, LLC, an Alabama Limited Liability Company, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he or she, as such officer and with full authority, executed the same voluntarily for and as the act of said entity.

Given under my hand this the 31st day of January, 2006.

Notary Public

My commission expires: 9.29.06

GEORGE M. VAUGHN
NOTARY
PUBLIC
ALABAMA STATE AT LARGE

Shelby County, AL 02/02/2006
State of Alabama

Deed Tax:$27.00