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Shelby Cnty Judge of Probate, AL
05/04/2006 10:16:37AM FILED/CERT

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This instrument was prepared by:

SEND TAX NOTICE TO:

R. Shan Paden
PADEN & PADEN, PC
5 Riverchase Ridge
Birmingham, Alabama 35244

MARCUS RAY MILLARD, JR.
505 MILGRAY CIRCLE
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 EIGHTY THREE THOUSAND DOLLARS 00/100 (\$183,000.00)** to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, I/we, **WILLIAM DAVID CARDEN and WENDY PEOPLES CARDEN, HUSBAND AND WIFE** (herein referred to as GRANTORS) do grant, bargain, sell and convey unto **MARCUS RAY MILLARD, JR. and SHERRI MILLARD**, (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 25, according to the Survey of Southern Hills Sector 6 Phase 2, as recorded in Map Book 18, Page 79, in the Probate Office of Shelby County, Alabama.

SUBJECT TO:

1. TAXES FOR THE YEAR BEGINNING OCTOBER 1, 2005 WHICH CONSTITUTES A LIEN BUT ARE NOT DUE AND PAYABLE UNTIL OCTOBER 1, 2006.
2. EASEMENTS AND BUILDING LINE AS SHOWN ON RECORDED MAP.
3. TITLE TO ALL MINERALS WITHIN AND UNDERLYING THE PREMISES, TOGETHER WITH ALL MINING RIGHTS AND OTHER RIGHTS, PRIVILEGES AND IMMUNITIES RELATING THERETO, INCLUDING RELEASE OF DAMAGES.
4. RESTRICTIONS APPEARING OF RECORD IN INST. NO. 1994-18720.

\$189,039.00 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, **WILLIAM DAVID CARDEN and WENDY PEOPLES CARDEN**, have hereunto set his, her or their signature(s) and seal(s), this the 26th day of April, 2006.

William David Carden
By and through his attorney
In fact, Wendy Peoples Carden
**WILLIAM DAVID CARDEN,
BY AND THROUGH HIS ATTORNEY
IN FACT, WENDY PEOPLES CARDEN**

Wendy Peoples Carden
WENDY PEOPLES CARDEN

STATE OF ALABAMA
COUNTY OF SHELBY

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that **WENDY PEOPLES CARDEN**, 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 day of April, 2006.

George M. Vaughn

Notary Public

My commission expires: 9.29.06

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that **WENDY PEOPLES CARDEN** whose name(s) as attorney in fact for **WILLIAM DAVID CARDEN**, 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, they, in their capacity as Attorney In Fact, executed the same voluntarily with full authority on the day the same bears date.

Given under my hand this the 26TH day of APRIL, 2006.

George M. Vaughn

Notary Public
My commission expires: 9.29.06

