1448

20060606000265030 1/2 $17.00
Shelby Cnty Judge of Probate, AL
06/06/2006 08:41:13AM FILED/CERT

Shelby County, AL 06/06/2006
State of Alabama

Deed Tax:$2.00

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This instrument was prepared by:

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

SEND TAX NOTICE TO:

MICHAEL D. FERGUSON
1225 VILLAGE TRAIL
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 TWENTY NINE THOUSAND FIVE HUNDRED FIFTY DOLLARS 00/100 ($129,550.00)** to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, I/we, **WATERFORD, L.L.C.** (herein referred to as GRANTORS) do grant, bargain, sell and convey unto **MICHAEL D. FERGUSON, ELIZABETH E. FERGUSON and DOUGLAS E. FERGUSON**, (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 319, according to the Survey of Waterford Village Sector 5, Phase 1, as recorded in Map Book 36, Page 16, in the Probate Office of Shelby County, Alabama.

*****THIS PROPERTY DOES NOT CONSTITUTE THE HOMESTEAD OF ELIZABETH E. FERGUSON OR DOUGLAS E. FERGUSON*****

SUBJECT TO:

1. TAXES FOR THE YEAR 2005 WHICH CONSTITUTE A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 2006.

2. RIGHT OF WAY TO ALABAMA POWER COMPANY AND SOUTHERN BELL TELEPHONE AND TELEGRAPH COMPANY, AS SET FORTH IN REAL VOLUME 2300, PAGE 867.

3. RIGHT OF WAY TO ALABAMA POWER COMPANY, AS SET FORTH IN VOLUME 2877, PAGE 403, VOLUME 4156, PAGE 394, AND VOLUME 4220, PAGE 9.

4. EASEMENT OF UNDETERMINED WIDTH ON THE FRONT OF SUBJECT PROPERTY, AS SHOWN ON RECORDED MAP.

5. 8-FOOT EASEMENT ON THE FRONT, AS SHOWN ON RECORDED MAP.

6. 7.5-FOOT EASEMENT ON THE NORTHWESTERLY SIDE, AS SHOWN ON RECORDED MAP.

7. RIGHT OF WAY TO ALABAMA POWER COMPANY, AS SET FORTH IN INST. NO. 2005-56363 AND 2005-56420.

11. RESTRICTIVE COVENANTS, AS SETFORTH IN INST. NO. 2005-59712.

$127,547.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

20060606000265030 2/2 $17.00
Shelby Cnty Judge of Probate,AL
06/06/2006 08:41:13AM FILED/CERT

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, **WATERFORD, L.L.C.**, have hereunto set his, her or their signature(s) and seal(s), this the 31st day of May, 2006.

WATERFORD, L.L.C.
MATTHEW S. MOORE, CLOSING AGENT

STATE OF ALABAMA
COUNTY OF SHELBY

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that **MATTHEW S. MOORE, CLOSING AGENT for WATERFORD, L.L.C.**, 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 31st day of May, 2006.

GEORGE M. VAUGHN NOTARY PUBLIC ALABAMA STATE AT LARGE

Notary Public

My commission expires: 9.29.06