14572

20060719000347650 1/2 $66.00
Shelby Cnty Judge of Probate,AL
07/19/2006 09:00:40AM FILED/CERT

Shelby County, AL 07/19/2006
State of Alabama

Deed Tax:$52.00

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was prepared by:

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

SEND TAX NOTICE TO:

NEIL W. BARTON
5773 KUGLER MILL ROAD
CINCINNATI, OH 45236

STATE OF ALABAMA
COUNTY OF SHELBY

JOINT TENANTS WITH RIGHT OF SURVIVORSHIP
STATUTORY WARRANTY DEED

Know All Men by These Presents: That in consideration of ONE HUNDRED SIXTY THREE THOUSAND FOUR HUNDRED DOLLARS 00/100 ($163,400.00) DOLLARS to the undersigned grantor, **HPH PROPERTIES, LLC, Alabama Limited Liability Co.**, 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 **NEIL W. BARTON and EVANGELINE W. BARTON**, (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 125, according to the Survey of The Reserve at Timberline, as recorded in Map Book 34, Page 117 A, B, C and D, 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 YET DUE AND PAYABLE UNTIL OCTOBER 1, 2006.

2. 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.

3. RIGHT OF WAY GRANTED TO SOUTH CENTRAL BELL TELEPHONE COMPANY RECORDED IN REAL 168, PAGE 563; REAL 257, PAGE 174 AND VOLUME 311, PAGE 435.

4. RIGHT OF WAY GRANTED TO ALABAMA POWER COMPANY RECORDED IN VOLUME 323, PAGE 131; VOLUME 219, PAGE 75 AND INST. NO. 2002-6355.

5. RESTRICTIONS APPEARING OF RECORD IN INST. NO. 2005-14193.

6. EASEMENTS AND BUILDING LINE AS SHOWN ON RECORDED MAP.

$111,400.00 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

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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.

IN WITNESS WHEREOF, the said **ELIZABETH L. HENDERSON** as **CLOSING AGENT** of **HPH PROPERTIES, LLC** , has hereunto subscribed his/her/their name on this the 13TH day of July, 2006.

HPH PROPERTIES, LLC

ELIZABETH L. HENDERSON
CLOSING AGENT

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that **ELIZABETH L. HENDERSON** , whose name as **CLOSING AGENT** of **HPH PROPERTIES, LLC**, Alabama Limited Liability Co., 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 Alabama Limited Liability Co..

Given under my hand this the 13th day July of 2006.

Notary Public

My commission expires: 12/20/08

ELLEN MAYS
NOTARY
PUBLIC
ALABAMA STATE AT LARGE