14715

20060810000387480 1/2 $15.00
Shelby Cnty Judge of Probate,AL
08/10/2006 08:42:40AM FILED/CERT

(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:

WALTER L. SMITH
1061 LITTLE SORREL DRIVE
CALERA, AL 35040

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 TWO HUNDRED TWENTY ONE THOUSAND DOLLARS 00/100 ($221,000.00) 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 **WALTER L. SMITH and CATRINA M. SMITH**, (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 16, according to the Survey of Savannah Pointe Sector VIII, as recorded in Map Book 36, Page 58, 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. EASEMENT(S), BUILDING LINE(S) 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.

4. RIGHT-OF-WAY GRANTED TO ALABAMA POWER COMPANY RECORDED IN VOLUME 138, PAGE 159; INST. NO. 2005-39395 AND INST. NO. 2005-39396

5. RIGHT-OF-WAY GRANTED TO SHELBY COUNTY RECORDED IN VOLUME 211, PAGE 615.

6. EASEMENT GRANTED TO CITY OF CALERA AS RECORDED IN INST. NO. 1999-47297.

7. RESTRICTIONS AND COVENANTS APPEARING OF RECORD IN INSTRUMENT NO. 2006-16726.

8. RIGHT OF WAY GRANTED TO ALABAMA POWER COMPANY AS RECORDED IN INST. NO. 2006-5130.

$225,750.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

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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.

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 28th day July of 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 28th day July of 2006.

Notary Public

My commission expires: 9.29.06

GEORGE M. VAUGHN
NOTARY
PUBLIC
ALABAMA STATE AT LARGE