20061009000498230 1/2 \$15.00 Shelby Cnty Judge of Probate, AL 10/09/2006 08:13:24AM FILED/CERT

SEAL

## STATUTORY WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That for and in consideration of THIRTY SEVEN THOUSAND TRHEE HUNDRED FIFTY AND NO/100 DOLLARS (37,350.00) to the undersigned GRANTOR in hand paid by the GRANTEES herein, the receipt whereof is acknowledged, ARTHUR HOWARD HOMES, INC., an Alabama Corporation (GRANTOR) does grant, bargain, sell and convey unto JAMES P. WASHBURN, II and TERRA D. WASHBURN (GRANTEES) as joint tenants with right of survivorship in and to the following described real estate situated in SHELBY, ALABAMA to wit:

LOT 13, ACCORDING TO THE SURVEY OF LACEY'S GROVE, AS RECORDED IN MAP BOOK 35, PAGE 137, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

SUBJECT TO:

ADVALOREM TAXES DUE OCTOBER 01, 2006.

MINERALS AND MINING RIGTHS NOT OWNED BY GRANTOR.

RESTRICTIONS AND COVENANTS IN INST#2005/38550 AND INST#2005/53290

EASEMENTS, BUILDING LINES AND RESTRICTIONS AS SHOWN ON RECORD MAP.

RIGHT OF WAY GRANTED ALABAMA POWER COMPANY IN INST# 2005-39382.

RIGHT OF WAY GRANTED TO BELLSOUTH RECORDED IN INST#2006/2950.

RIGHT OF WAY GRANTED TO ALABAMA POWER COMPANY RECORDED IN VOLUME 102, PAGE 266; VOLUME 102, PAGE 264; VOLUME 102, PAGE 265; INST NO. 2005/38550 AND INST NO. 2005-39382.

RIGHT OF WAY TO SHELBY COUNTY RECORDED IN VOLUME 154, PAGE 501 AND VOLUME 154, PAGE 499.

ALL OF THE CONSIDERATION WAS PAID FROM THE PROCEEDS OF A MORTGAGE.

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, the heirs and assigns of the grantees herein shall take as tenants in common.

IN WITNESS WHEREOF, the said GRANTOR has caused this conveyance to be executed this the day of SEPTEMBER, 2006.

ARTHUR HOWARD HOMES, INC., an Alabama Corporation

ARTHUR W. HOWARD

ITS PRESIDENT

GRANTEES EXECUTE THIS DEED TO CONFIRM THAT THEY SHALL BE OBLIGATED BY SAID RESTRICTIVE COVENANTS TO PERFORM AS SET FORTH THEREIN.

SEAL

JAMES V. WASHBURN, II

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, Gene W. Gray, Jr., a Notary Public, in and for said County in said State, hereby certify that **TERRA D. WASHBURN** and **JAMES P. WASHBURN**, **II**, whose names are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day, that being informed of the contents of said conveyance, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal of ffice this 24 day of September,

Not/ary / / / / / c

Commission Expires:11/09/06

WASHBURN

STATE OF ALABAMA JEFFERSON COUNTY

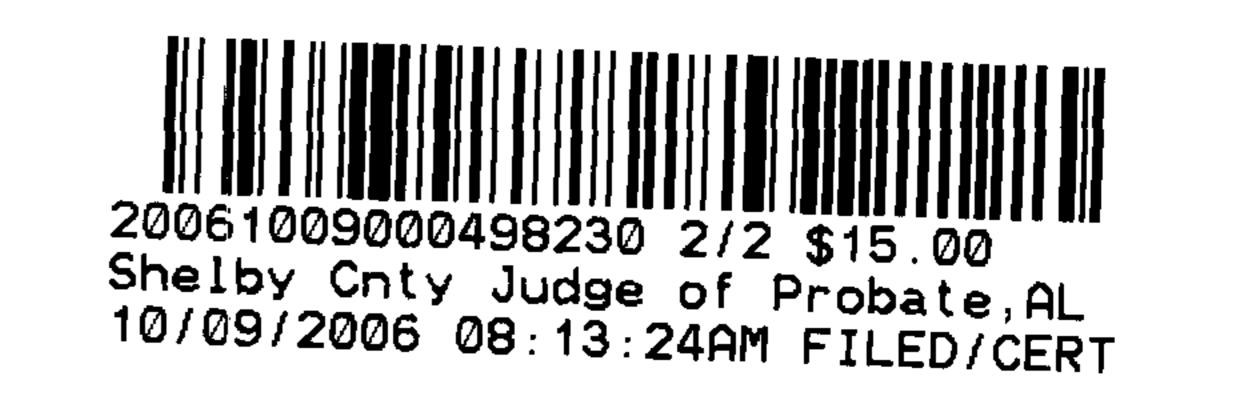
2006.

I, GENE W. GRAY, JR., a Notary Public in and for said County in said State, hereby certify that ARTHUR W. HOWARD, whose name as President of ARTHUR HOWARD HOMES, INC., an Alabama Corporation, is signed to the foregoing instrument and who is personally known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he as such officer and with full authority, executed the same voluntarily for and as the act of ARTHUR HOWARD

HOMES, INC., an Alabama Corporation.

Given under my hand and seal this  $\frac{2}{3}$  day of September, 2006

Notary blic



Commission Expires:11/09/06

THIS INSTRUMENT PREPARED BY:
GENE W. GRAY, JR.
2100 SOUTHBRIDGE PARKWAY,
SUITE 638
BIRMINGHAM, AL 35209
205 879 3400

SEND TAX NOTICE TO:
TERRA D. WASHBURN
JAMES P. WASHBURN, II
319 MILLS WAY
PELHAM, AL 35114