

20080731000307760 1/2 \$22.00  
Shelby Cnty Judge of Probate, AL  
07/31/2008 08:32:59AM FILED/CERT

VALUE OF INTEREST CONVEYED: \$5,000.00

**SEND TAX NOTICE TO:**

Shelby County, AL 07/31/2008  
State of Alabama

Deed Tax: \$5.00

Harold W. Whitten / Kelly H. Whitten

113 Mangrove Drive

Alabaster, AL 35007

This instrument was prepared by:  
**WALLACE, ELLIS, FOWLER & HEAD**  
P. O. Box 587  
Columbiana, AL 35051

**WARRANTY DEED, JOINT TENANTS WITH RIGHT OF SURVIVORSHIP**

**STATE OF ALABAMA**  
**SHELBY COUNTY**

**KNOW ALL MEN BY THESE PRESENTS,**

That in consideration of One and no/100 Dollar (\$1.00) and division of estate lands to the undersigned Grantors, in hand paid by the Grantees herein, the receipt whereof is acknowledged, we, **Billy A Whitten, Jr.**, a married man, **Donna Lynn Whitten**, a single woman, **Harold W. Whitten**, a married man, **Thomas Edwin Whitten**, a married man, and **Sara Annette Whitten**, a single woman, (herein referred to as Grantors), grant, bargain, sell, and convey unto **Harold W. Whitten** and wife, **Kelly H. Whitten** (herein referred to as Grantees), as joint tenants, with right of survivorship, the following described real estate situated in Shelby County, Alabama, to-wit:

Lot 5, according to the survey of Whitten Family Subdivision, as recorded in Map Book 40, Page 30, in the Probate Office of Shelby County, Alabama.

This deed is executed for the purpose of division of estate lands, and the property described constitutes no part of the homestead of any of Grantors.

**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 we do for ourselves and for our heirs, executors, and administrators covenant with the said GRANTEES, their heirs and assigns, that we are lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that we have a good right to sell and convey the same as aforesaid; that we will and our heirs, executors, and administrators shall warrant and defend the same to the said GRANTEES, their heirs and assigns forever, against the lawful claims of all persons.

**IN WITNESS WHEREOF**, we have hereunto set our hands and seals, this 27<sup>th</sup> day of July, 2008.

Billy A. Whitten, Jr. (SEAL)  
**Billy A. Whitten, Jr.**

Donna Lynn Whitten (SEAL)  
**Donna Lynn Whitten**

Harold W. Whitten (SEAL)  
**Harold W. Whitten**

Thomas Edwin Whitten (SEAL)  
**Thomas Edwin Whitten**

Sara Annette Whitten (SEAL)  
**Sara Annette Whitten**



STATE OF ALABAMA  
SHELBY COUNTY

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I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that **Billy A. Whitten, Jr.**, a married man, whose name 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 executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 27th day of July, 2008.

my Commission expires:  
10/16/08

Janet F. Pearson  
Notary Public

STATE OF ALABAMA  
SHELBY COUNTY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that **Donna Lynn Whitten**, a single woman, whose name 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, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 27th day of July, 2008.

my Commission expires:  
10/16/08

Janet F. Pearson  
Notary Public

STATE OF ALABAMA  
SHELBY COUNTY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that **Harold W. Whitten**, a married man, whose name 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 executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 27th day of July, 2008.

my Commission expires:  
10/16/08

Janet F. Pearson  
Notary Public

STATE OF LOUISIANA  
St. Tammany ~~COUNTY~~ PARISH

I, the undersigned, a Notary Public in and for said Parish, in said State, hereby certify that **Thomas Edwin Whitten**, a married man, whose name 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 executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 22 day of July, 2008.

Wendall Gonzales Hilker  
Notary Public

Wendall Gonzales Hilker, Notary Public #49261  
My commission expires with my life

STATE OF ALABAMA  
SHELBY COUNTY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that **Sara Annette Whitten**, a single woman, whose name 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, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 27th day of July, 2008.

my Commission expires:  
10/16/08

Janet F. Pearson  
Notary Public