

SEND TAX NOTICE TO:

Arnold Harrington
#13 The Oaks Circle
Birmingham, AL 35244

20081209000461060 1/3 \$19.00
Shelby Cnty Judge of Probate, AL
12/09/2008 11:05:13AM FILED/CERT

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THE PREPARER OF THIS DEED HAS NEITHER BEEN REQUESTED TO NOR HAS HE CONDUCTED A TITLE SEARCH OR AN INSPECTION OF THE PROPERTY WHICH IS THE SUBJECT HEREOF, NOR HAS THE PREPARER TAKEN ANY STEPS TO REVIEW OR CONFIRM THE ACCURACY OF THE LEGAL DESCRIPTION WHICH WAS FURNISHED TO HIM FOR USE IN PREPARING THIS DEED. NO REPRESENTATIONS OR WARRANTIES AS TO THE STATUS OF TITLE OR CONDITION OF THE PROPERTY HAVE BEEN MADE.

WARRANTY DEED

STATE OF ALABAMA

COUNTY OF SHELBY

KNOW BY ALL MEN THESE PRESENTS:

That in consideration of **One Thousand and no/100 Dollars (\$1,000.00)** to the undersigned grantor (whether one or more), in hand paid by the grantee herein, the receipt where is acknowledged, I or we, **J. Harrington and Arnold W. Harrington, Trustees of the JOYCE J. HARRINGTON REVOCABLE TRUST dated the 14th day of September, 1995** (herein referred to as grantor, whether one or more), grant, bargain, sell and convey unto **Arnold W. Harrington and wife, Joyce J. Harrington**, (herein referred to as grantee, whether one or more), for and during their joint lives as joint tenants and upon the death of either of them, then to the survivor of them in fee simple, together with every contingent remainder and right of reversion the following described real estate, situated in **Shelby** County, Alabama, to wit:

Lot 13, together with an undivided 1/43rd interest in Lot 44 (common area), according to the Map of The Oaks, recorded in Map Book 10, Page 89, in the Office of the Judge of Probate of Shelby County, Alabama.

Subject to items on attached Exhibit "A."

Subject to any rights-of-way, easements or restrictions of record.

This deed is prepared without benefit of title and is based on information provided by Grantor.

Subject property is the homestead of the Grantor.

To Have and To Hold to the said grantee, her, heirs or 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, 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, their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, I (we) have hereunto set my (our) hand(s) and seal(s) this the 9th day of, December, 2008.

Joyce J. Harrington
Joyce J. Harrington
Arnold W. Harrington
Arnold W. Harrington

WITNESS:

_____(SEAL) _____(SEAL)
_____(SEAL) _____(SEAL)
_____(SEAL) _____(SEAL)

STATE OF ALABAMA,
SHELBY COUNTY

General Acknowledgment

I, the undersigned, a Notary Public in and for said county and state, hereby certify that **Joyce J. Harrington and Arnold W. Harrington**, 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 this conveyance, she/he/they executed the same voluntarily.

WITNESS my hand and official seal in the county and state aforesaid this the 9th day of Dec, 2008.

My Commission Expires: 8-24-2012

[Signature]
Notary Public

(S E A L)

This instrument was prepared by:

Robert R. Kracke
KRACKE & THOMPSON, LLP
2204 Lakeshore Drive, Suite 306
Birmingham, Alabama 35209
(205) 933-2756

EXHIBIT "A"

1. Roadway easement and agreement as to common area as recorded in Real Volume 117, Page 24.
2. Right of Way granted to South Central Bell Telephone Company by instrument(s) recorded in Real Volume 3041, Page 744, Birmingham Division.
3. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto, together with any release of liability for injury or damage to persons or property as a result of the exercise of such rights as recorded in Deed Book 127, Page 140.
4. Declaration of Protective Covenants, Agreements, Easements, Charges and Liens for Riverchase (Residential) appearing of record in Misc. Book 14, Page 536; Misc. Book 17, Page 550.
5. Easements, restrictions and agreements as reserved in Deed Book 312, Page 261 and as shown on recorded map.
6. Declaration of Protective Covenants, easements, charges, rights and liens, as recorded in Real Volume 122, Page 184.
7. Less and except any portion of subject property lying within the Cahaba River, (as to common area).
8. Conditions, restrictions and limitations as set forth by instrument recorded in Book 134, Page 619.
9. 5-foot easement along rear lot line; 5-foot easement extending into center of lot 13 and easements as to common area as shown on recorded map.