

2008-170605

20090107000003940 1/2 \$22.00
Shelby Cnty Judge of Probate, AL
01/07/2009 08:40:04AM FILED/CERT

Shelby County, AL 01/07/2009
State of Alabama

Deed Tax: \$8.00

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was prepared by:

SEND TAX NOTICE TO:

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

MARC B. QUESENBERRY
141 ARBOUR PLACE
HELENA, AL 35080

**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 FIFTY NINE THOUSAND NINE HUNDRED DOLLARS 00/100 (\$159,900.00) 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 **MARC B. QUESENBERRY and KIMBERLY T. QUESENBERRY**, (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 107, according to the Survey of Hillsboro Subdivision Phase III, as recorded in Map Book 39, Page 123 A, B and C, in the Probate Office of Shelby County, Alabama.

SUBJECT TO:

- 1. TAXES FOR THE YEAR BEGINNING OCTOBER 1, 2008 WHICH CONSTITUTES A LIEN BUT ARE NOT DUE AND PAYABLE UNTIL OCTOBER 1, 2009.**
- 2. EASEMENTS, RESTRICTIONS AND BUILDING LINE 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, INCLUDING RELEASE OF DAMAGES.**
- 4. RESTRICTIONS APPEARING OF RECORD IN INST. NO. 2006-62806; INST. NO. 2006-56760; INST. NO. 2007-1635; INST. NO. 2006-56759; INST. NO. 2006-31649 AND INST. NO. 2006-58307 AND INST. NO. 2007-16350.**
- 5. EASEMENT AS SET FORTH IN INST. NO. 2006-42215.**
- 6. RIGHT OF WAY GRANTED TO ALABAMA POWER COMPANY RECORDED IN INST. NO. 2006-61280.**

\$151,905.00 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 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 **R. SHAN PADEN** as **CLOSING AGENT** of **HPH PROPERTIES, LLC** , has hereunto subscribed his/her/their name on this the 23rd day December of 2008.

HPH PROPERTIES, LLC



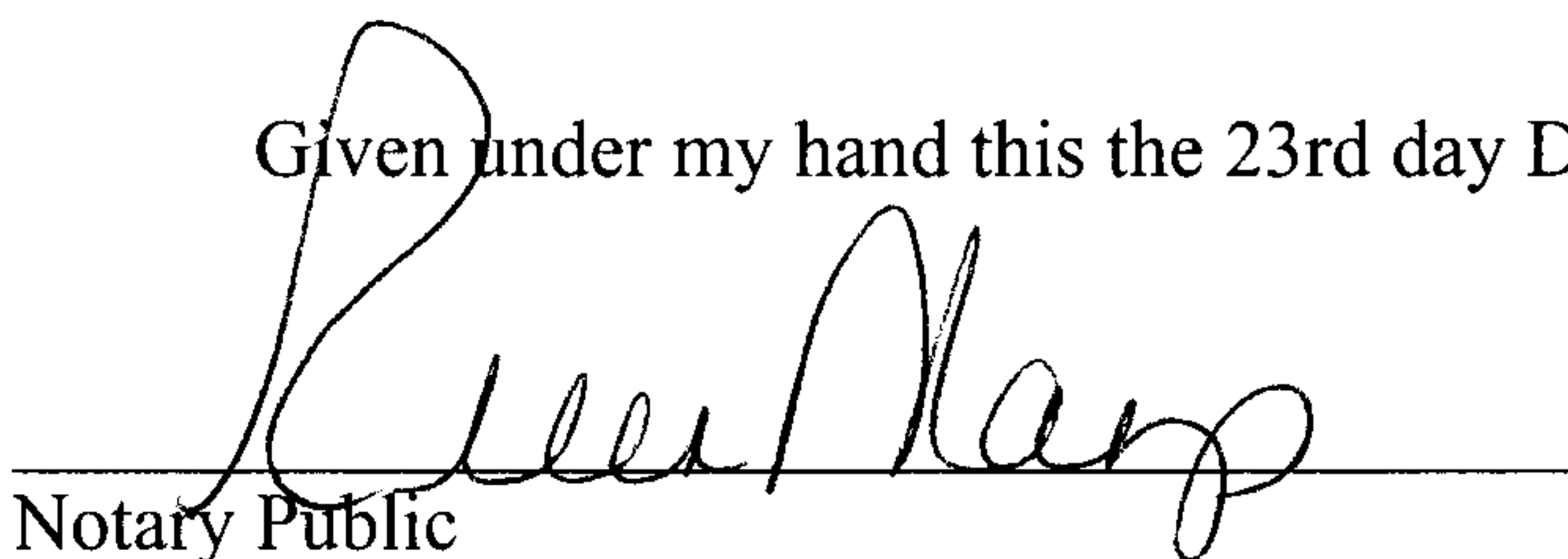
R. SHAN PADEN
CLOSING AGENT

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that **R. SHAN PADEN** , 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 23rd day December of 2008.


Notary Public

My commission expires: 12/20/12

