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20090603000209840 1/2 \$21.50
Shelby Cnty Judge of Probate, AL
06/03/2009 08:33:19 AM FILED/CERT

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This instrument was prepared by: R. Shan Paden
PADEN & PADEN, PC
5 Riverchase Ridge
Birmingham, Alabama 35244

SEND TAX NOTICE TO: R. WESLEY MITCHELL
3527 STONECREEK PLACE
HELENA, AL 35080

STATE OF ALABAMA
COUNTY OF SHELBY

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

Know All Men by These Presents: That in consideration of **ONE HUNDRED SIXTY SEVEN THOUSAND DOLLARS 00/100 (\$167,000.00)** to the undersigned grantor or grantors in hand paid by the **GRANTEES** herein, the receipt of which is acknowledged, I/we, **DIANNE S. TAYLOR, A MARRIED WOMAN*** (herein referred to as **GRANTORS**) do grant, bargain, sell and convey unto **R. WESLEY MITCHELL and LEASETTE MITCHELL**, (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 1733, according to the Survey of Old Cahaba IV, 2nd Addition, Phase 6, as recorded in Map Book 34, Page 67, in the Office of the Judge of Probate 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. **BUILDING LINES, RIGHT OF WAYS, EASEMENTS, RESTRICTIONS, RESERVATIONS AND CONDITIONS, IF ANY.**
3. **TITLE TO ALL OIL, GAS AND MINERALS WITHIN AND UNDERLYING THE PREMISES, TOGETHER WITH ALL OIL AND 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.**
4. **EASEMENTS AND BUILDING LINES AS SHOWN ON RECORDED MAP.**
5. **20 FOOT BUILDING SETBACK LINES ON FRONT AND REAR LOT LINES AND 10 FOOT EASEMENT ON REAR LOT LINES AS SHOWN ON RECORDED MAP.**
6. **RIPARIAN AND OTHER RIGHTS CREATED BY THE FACT THAT SUBJECT PROPERTY LIES ADJACENT TO CREEK.**

***SUBJECT PROPERTY DOES NOT CONSTITUTE THE HOMESTEAD OF THE GRANTOR NOR HER RESPECTIVE SPOUSE.**

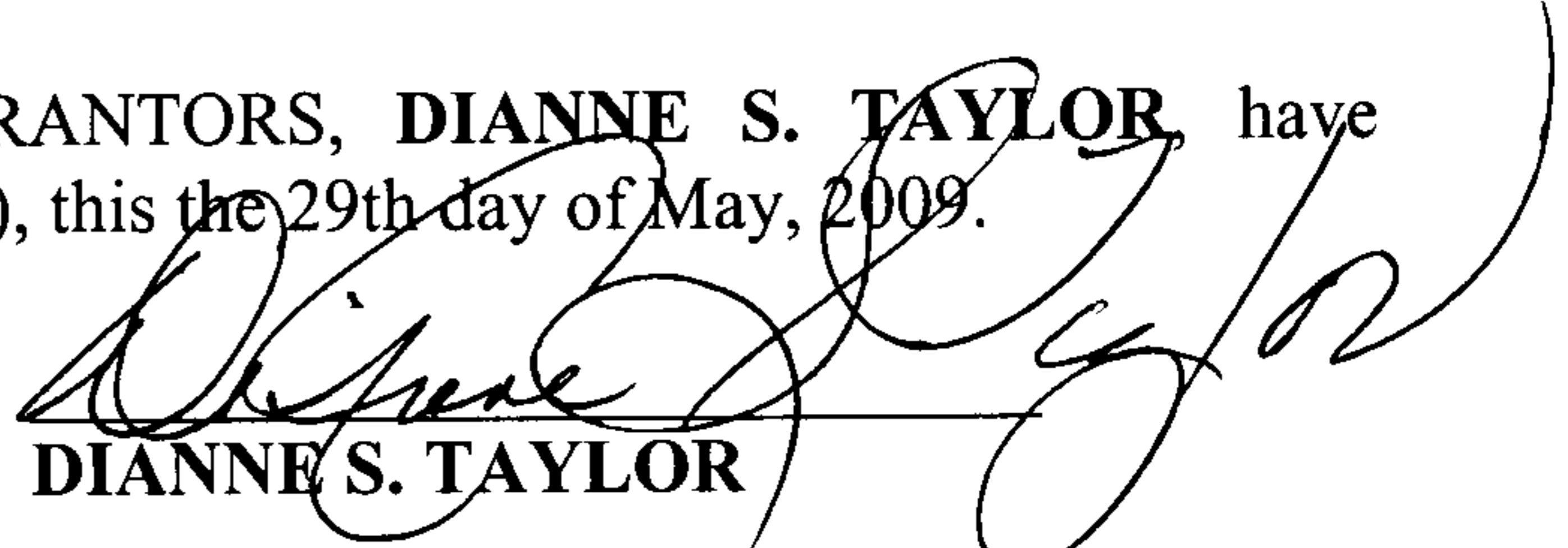
\$159,747.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

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.

And I (we) do for myself (ourselves) and for my (our) heirs, executors, and administrators covenant with the said GRANTEES, his, her, or 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, his, her, or their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said GRANTORS, **DIANNE S. TAYLOR**, have hereunto set his, her or their signature(s) and seal(s), this the 29th day of May, 2009.

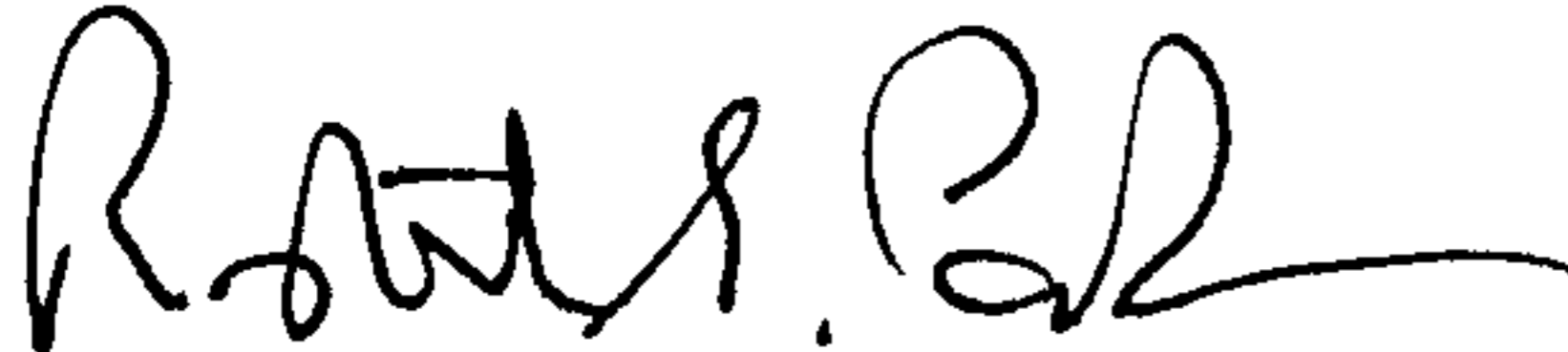

DIANNE S. TAYLOR

**STATE OF ALABAMA
COUNTY OF SHELBY**

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that **DIANNE S. TAYLOR**, 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 the conveyance he, she, or they executed the same voluntarily on the day the same bears date.

Given under my hand this the 29th day of May, 2009.



Notary Public

My commission expires: 7/16/10

