

This instrument was prepared by:  
David P. Condon, P. C.  
100 Union Hill Drive Ste 200  
Birmingham, AL 35209

Send tax notice to:  
Evans C. Bailey  
5221 Cahaba Valley Cove  
Birmingham, Alabama 35242

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

STATE OF ALABAMA )  
:  
SHELBY COUNTY ) **KNOW ALL MEN BY THESE PRESENTS**

That in consideration of **Five Hundred Thirty-One Thousand Two Hundred Fifty and 00/100 Dollars (\$531,250.00)** to the undersigned grantor in hand paid by the grantees herein, the receipt whereof is acknowledged, I,

**Elizabeth C. Frech**, a married person

(hereinafter referred to as "Grantor") do grant, bargain, sell and convey unto

**Evans C. Bailey and Jennifer Bailey**

(hereinafter referred to as "Grantees") as joint tenants with right of survivorship, the following described real estate situated in Shelby County, Alabama to-wit:

**Lot 2, according to the Survey of Frech Family Subdivision, as recorded in Map Book 34, page 18, in the Probate Office of Shelby County, Alabama.**

\$417,000.00 of the proceeds come from a mortgage recorded simultaneously herewith.  
**The property described above does not constitute the homestead of the grantor, nor her spouse.**

- Subject to:
- (1) 2010 ad valorem taxes not yet due and payable;
  - (2) all mineral and mining rights not owned by the Grantor; and
  - (3) all easements, rights-of-way, restrictions, covenants and encumbrances of record.
  - (4) **For a period of ten years following June 30, 2010, Grantee shall not construct another residence on the property conveyed herein. However, this restriction shall not apply to any subsequent purchaser of this property even if the property conveyed herein is sold within ten years of the date this deed is executed.**

TO HAVE AND TO HOLD unto 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 do for myself and for my heirs, executors, and administrators covenant with Grantees, their heirs and assigns, that I am lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that I have a good right to sell and convey the same as aforesaid; that I will and my heirs, executors and administrators shall warrant and defend the same to Grantees, their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, I have set my hand and seal, this 30th day of June, 2010.

Shelby County, AL 07/06/2010  
State of Alabama  
Deed Tax : \$114.50

BY: *Elizabeth C. Frech* (Seal)  
Elizabeth C. Frech

STATE OF ALABAMA )  
:  
JEFFERSON COUNTY )

I, the undersigned Notary Public in and for said County, in said State, hereby certify that Elizabeth C. Frech, 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 30th day of June, 2010.

*David P. Condon*  
Notary Public: David P. Condon  
My Commission Expires: 2-12-14

