

SEND TAX NOTICE TO:

(Name) Mr. & Mrs. Gayton E. Lopresti, Jr.

Rt. 1, Box 220, Road 69
(Address) Chelsea, AL. 35043

This instrument was prepared by

596

(Name) Morris J. Princiotta, Jr.

801 Frank Nelson Building

(Address) Birmingham, Alabama 35203

Form 1-1-5 Rev. 5/82

WARRANTY DEED, JOINT TENANTS WITH RIGHT OF SURVIVORSHIP - LAWYERS TITLE INSURANCE CORPORATION, Birmingham, Alabama

STATE OF ALABAMA

SHELBY

COUNTY

KNOW ALL MEN BY THESE PRESENTS,

That in consideration of NINETY-EIGHT THOUSAND AND NO/100..... (\$98,000.00)..... DOLLARS

to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt whereof is acknowledged, we,

JOE ADAWAY; a single man

(herein referred to as grantors) do grant, bargain, sell and convey unto

GAYTON E. LOPRESTI, JR. and wife, KIMBERLY M. LOPRESTI

(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 4, according to the map and survey of Eagle Farms as recorded in Map Book 9 page 109 in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

Mineral and mining rights excepted.

Subject to:

1. Taxes for the year 1989, a lien, but not yet due and payable until October 1, 1989.
2. Building setback line of 100 feet reserved from Shelby County Road No. 69 as shown by plat.
3. Public utility easements as shown by recorded plat, including a right of way for Colonial Pipeline as shown by Map Book 9 page 109.
4. Restrictions, covenants and conditions as set out in instrument recorded in Real 45 page 778 in Probate Office.
5. Easement to Colonial Pipeline Company as shown by instrument recorded in Deed Book 224 page 477 and Deed Book 267 page 205 in Probate Office.
6. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto, including rights set out in Deed Book 329 page 508 in Probate Office.

\$93,100.00 of the purchase price received above was paid from a first purchase money mortgage loan 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, 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 have hereunto set my hand(s) and seal(s), this 3rd

day of November, 19 88

WITNESS:

STATE OF ALA. SHELBY

I CERTIFY THIS INSTRUMENT WAS FILED

Deed Tax \$ 5.00

Notary Fee

Recording Fee 2.50 88 NOV -8 AM 9:36

Indexing Fee 1.00

TOTAL 8.50 JUDGE OF PROBATE

Shelby

COUNTY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Joe Adaway, a single 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 3rd day of November, A. D., 19 88

NOTARY PUBLIC, STATE OF ALABAMA AT LARGE, Public.