

This Instrument Prepared By: 1806  
James F. Burford, III  
Attorney at Law  
Suite 200, 100 Vestavia Office Park  
Birmingham, Alabama 35216

Send Tax Notice To:

William L. Fleming  
4013 Cross Grove Circle  
Birmingham, AL 35242

**WARRANTY DEED, JOINTLY FOR LIFE WITH REMAINDER TO SURVIVOR**

STATE OF ALABAMA )  
COUNTY OF SHELBY )

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of Twenty Eighty Thousand Five Hundred and No/100 Dollars (\$28,500.00) to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, Rexgate Properties, an Alabama General Partnership (herein referred to as grantors) do grant, bargain, sell and convey unto William L. Fleming and Beverly B. Fleming (herein referred to as GRANTEES) for and during their joint lives 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 5-A, according to the Resurvey of Lot 5, 2nd Sector, Crossbrook Farms, as recorded in Map Book 13, Page 53 in the Probate Office of Shelby County, Alabama. Mineral and mining rights excepted.

SUBJECT TO: (1) Taxes due in the year 1989 and thereafter. (2) Restrictions, covenants and conditions as set out in instrument recorded in Real 211, Page 292 in Probate Office. (3) ~~Restrictions, covenants and conditions as set out in instrument recorded in Real 154, Page 302 and Real 145, Page 51 in Probate Office.~~ (4) 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 Real 154, Page 302 and Real 145, Page 51 in Probate Office. (5) Building setback line of 100 feet reserved from Crossbrook Lane and 50 feet reserved from the Northerly and Southerly sides of lot, as shown by recorded plat.

\$14,576.00 of the consideration recited herein was derived from a mortgage loan closed simultaneously herewith.

TO HAVE AND TO HOLD to the said GRANTEES for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, and to the heirs and assigns of such survivor forever, together with every contingent remainder and right of reversion.

And we do for ourselves and for our heirs, executors, and administrators covenant with the said GRANTEES, their heirs and assigns, that we are lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that we have a good right to sell and convey the same as aforesaid; that we will and 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.

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IN WITNESS WHEREOF, the said Rexgate Properties, an Alabama General Partnership, by Randall H. Goggans, President of Applegate Realty, Inc., its General Partner, who is authorized to execute this conveyance, has hereto set his signature and seal, this the 24 day of MARCH, 1989.

REXGATE PROPERTIES,  
An Alabama General Partnership

BY: APPLEGATE REALTY, INC.  
Its General Partner

BY: Randall H. Goggans  
Randall H. Goggans  
Its President

STATE OF ALABAMA )  
JEFFERSON COUNTY )

I, the undersigned, a Notary Public, in and for said County in said State, hereby certify that Randall H. Goggans, whose name President of Applegate Realty, Inc., as General Partner of Rexgate Properties, an Alabama General Partnership, 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 said instrument, he, as President of Applegate Realty, Inc., as General Partner of Rexgate Properties, an Alabama General Partnership, executed the same voluntarily for and as the act of said general partnership, on the day the same bears date.

Given under my hand this 24 day of MARCH,  
1989.

[Signature]  
Notary Public

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STATE OF ALA. SHELBY CO.  
I CERTIFY THIS  
INSTRUMENT WAS FILED

89 MAR 28 AM 8:29

[Signature]  
JUDGE OF PROBATE

1. Doc. Tax \$ 14.00  
2. Mtg. Tax         
3. Recording Fee 5.00  
4. Indexing Fee 1.00  
TOTAL 20.00