

This instrument was prepared by

799

Send Tax Notice To: MR. & MRS. MICHAEL W. ROSE  
1548 YACHTSMAN DRIVE  
ALABASTER, ALABAMA 35007  
address

(Name) J. MICHAEL JOINER  
(Address) P. O. BOX 1012  
ALABASTER, ALABAMA 35007

WARRANTY DEED, JOINT TENANTS WITH RIGHT OF SURVIVORSHIP LAND TITLE COMPANY OF ALABAMA

STATE OF ALABAMA

SHELBY COUNTY

KNOW ALL MEN BY THESE PRESENTS,

That in consideration of FORTY THOUSAND and 00/100 (\$40,000.00) ----- DOLLARS

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

JOHN C. DRAPER, III and wife, KATHRYN DRAPER

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

MICHAEL W. ROSE and wife, REBECCA A. ROSE

(herein referred to as GRANTEES) as joint tenants with right of survivorship, the following described real estate situated in -----

SHELBY County, Alabama to-wit:

FOR LEGAL DESCRIPTION, SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF.

BOOK 234 PAGE 760

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, WE have hereunto set OUR hand(s) and seal(s), this 13<sup>th</sup> day of APRIL, 1989

WITNESS:

\_\_\_\_\_  
(Seal)  
\_\_\_\_\_  
(Seal)  
\_\_\_\_\_  
(Seal)

John C Draper III (Seal)  
Kathryn Draper (Seal)  
KATHRYN DRAPER (Seal)

STATE OF ALABAMA  
SHELBY COUNTY

General Acknowledgment

I, THE UNDERSIGNED, a Notary Public in and for said County, in said State, hereby certify that JOHN C. DRAPER, III and wife, KATHRYN DRAPER whose name S ARE signed to the foregoing conveyance, and who ARE known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance THEY executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 13<sup>th</sup> day of APRIL A. D., 1989

J. Michael Joiner  
Notary Public.

EXHIBIT A

COMMENCE AT THE SOUTHEAST CORNER OF SECTION 22, TOWNSHIP 20 SOUTH, RANGE 3 WEST; RUN THENCE NORTH 23 DEGREES 32 MINUTES WEST FOR 310.6 FEET TO THE WEST RIGHT OF WAY OF COUNTY ROAD NUMBER 95 AND RUN THENCE IN A NORTHWESTERLY DIRECTION ALONG SAID RIGHT OF WAY AND A CURVE TO THE LEFT HAVING A RADIUS OF 2,824.79 FEET FOR AN ARC LENGTH OF 143.60 FEET; RUN THENCE NORTH 25 DEGREES 34 MINUTES 21 SECONDS WEST ALONG SAID RIGHT OF WAY FOR 49.78 FEET; RUN THENCE IN A NORTHWESTERLY DIRECTION ALONG SAID RIGHT OF WAY AND A CURVE TO THE LEFT HAVING A RADIUS OF 2814.79 FEET FOR AN ARC LENGTH OF 150.0 FEET; RUN THENCE NORTH 06 DEGREES 51 MINUTES 11 SECONDS WEST ALONG SAID RIGHT OF WAY FOR 51.50 FEET; RUN THENCE IN A NORTHWESTERLY DIRECTION ALONG SAID RIGHT OF WAY AND A CURVE TO THE LEFT HAVING A RADIUS OF 2,824.79 FEET FOR AN ARC LENGTH OF 44.35 FEET TO THE POINT OF BEGINNING; CONTINUE ALONG SAID CURVE IN A NORTHEASTERLY DIRECTION FOR AN ARC LENGTH OF 77.45 FEET; RUN THENCE NORTH 21 DEGREES 01 MINUTES 54 SECONDS WEST ALONG SAID RIGHT OF WAY FOR 80.27 FEET; RUN THENCE NORTH 88 DEGREES 32 MINUTES 26 SECONDS WEST FOR 511.44 FEET; RUN THENCE SOUTH 01 DEGREES 26 MINUTES 35 SECONDS WEST FOR 260.67 FEET; RUN THENCE NORTH 89 DEGREES 57 MINUTES 34 SECONDS EAST FOR 316.50 FEET; RUN THENCE IN A NORTHEASTELRY DIRECTION ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 430.57 FEET FOR AN ARC LENGTH OF 184.12 FEET; RUN THENCE NORTH 65 DEGREES 27 MINUTES 34 SECONDS EAST FOR 71.71 FEET; RUN THENCE NORTH 22 DEGREES 59 MINUTES 57 SECONDS EAST FOR 33.75 FEET TO THE WEST RIGHT OF WAY OF COUNTY ROAD NUMBER 95 AND THE POINT OF BEGINNING.

BOOK 234 PAGE 761 SAID LAND BEING IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 20 SOUTH, RANGE 3 WEST OF THE HUNTSVILLE PRINCIPLE MERIDIAN, SHELBY COUNTY, ALABAMA.

SUBJECT TO EXISTING EASEMENTS, TAXES, RESTRICTIONS, SET-BACK LINES, RIGHTS OF WAY, LIMITATIONS, IF ANY, OF RECORD.

\$15,000.00 OF THE ABOVE-REFERENCED PURCHASE PRICE HAS BEEN PAID BY A MORTGAGE LOAN CLOSED SIMULTANEOUSLY HEREWITH.

GRANTOR ACKNOWLEDGES THAT THE SAID MORTGAGE SHALL BE SUBORDINATE TO A FIRST MORTGAGE TO BE OBTAINED BY PURCHASER FOR THE PURPOSE OF SECURING A CONSTRUCTION LOAN. GRANTOR AGREES TO SIGN ANY AND ALL DOCUMENTS NECESSARY TO SUBORDINATE SAID MORTGAGE TO THE CONSTRUCTION LOAN MORTGAGE.

MINERAL AND MINING RIGHTS EXCEPTED

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

89 APR 17 AM 11:21

*Thomas A. Shanks, Jr.*  
JUDGE OF PROBATE

1. Deed Tax	\$ 25.00
2. Mtg. Tax	_____
3. Recording Fee	5.00
4. Indexing Fee	2.00
TOTAL	32.00