

WARRANTY DEED, JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

KNOW ALL MEN BY THESE PRESENTS, that Jack Kemp, Secretary of Housing and Urban Development, of Washington, D. C., acting by and through the Office of Assistant Secretary for Housing - Federal Housing Commissioner, for and in consideration of TEN DOLLARS (\$10.00), the receipt whereof is hereby acknowledged, does grant, bargain, sell, and convey unto Mark S. Rothenstine and Kelly S. Rothenstine, as husband and wife, the following described real property situated in the County of Shelby, State of Alabama:

See "Exhibit A" attached hereto and by this reference made a part hereof.

\$ 47,125.⁰⁰ of purchase price was paid from the mortgage loan closed simultaneously herewith.

SUBJECT however, to all covenants, restrictions, reservations, easements, conditions, liens and other rights of whatever nature appearing of record; and Further Subject to any state of facts an accurate survey would show.

IN WITNESS WHEREOF the undersigned on this 2nd day of October 1989 has set his hand as the duly authorized representative of the Secretary of Housing and Urban Development.

BEING the same property acquired by the Secretary of Housing and Urban Development pursuant to the provisions of the National Housing Act, as amended (42 USC 1441, et seq.).

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.

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Secretary of Housing and Urban Development

Jack Kemp

BY: ASSISTANT SECRETARY FOR HOUSING
FEDERAL HOUSING COMMISSION

BY: *R. P. Gideon*

Birmingham Office
Dept. of Housing and Urban Development
Birmingham, Alabama

STATE OF ALABAMA }
COUNTY OF JEFFERSON }

I, the undersigned, a Notary Public in and for said County in said State, do hereby certify that R.P. Gideon, who is personally well known to me to be the duly authorized representative of the Secretary of Housing and Urban Development, and the person who executed the foregoing instrument bearing date October 2, 1989 by virtue of the authority vested in him by the Code of Federal Regulations, Title 24, Chapter 11, and acknowledged before me on this day that, being informed of the contents of this conveyance, he executed the same voluntarily for and on behalf of Jack Kemp, Secretary of Housing and Urban Development, on the year above stated.

GIVEN under my hand and official seal this 2nd day of October 1989.

Gregory Th. Thorne
NOTARY PUBLIC

My Commission Expires: 5-23-93

✓ This instrument was prepared by:

Julie B. DiVito
Attorney At Law
112 Mountain Brook Center
2700 Highway 280 East
Birmingham, Alabama 35223

Send tax notice to:

Rothenstine, Mark S.
1328 Applegate Drive
Alabaster, AL
35007

"Exhibit A"

Lot 40, according to the resurvey of Lots 1 through 64, 89 through 104 and A through C, of Applegate Manor, as recorded in Map Book 10, page 25, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama; together with all of the rights, privileges and easements and appurtenant ownership interest in and to premises previously conveyed by Applegate Realty, Inc. by deed recorded in Real 65, page 201, in the Probate Office of Shelby County, Alabama, and more fully defined in the Declaration of Covenants, Conditions and Restrictions of Applegate Townhomes, as recorded in Real 63, page 634, in said Probate Office; being situated in Shelby County, Alabama.

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

89 OCT 11 AM 9:49

Thomas A. Snowling, Jr.
JUDGE OF PROBATE

1. Deed Tax -----	\$	-----
2. Mtg. Tax -----	\$	-----
3. Recording Fee -----	\$	500
4. Indexing Fee -----	\$	300
5. No Tax Fee -----	\$	100
6. Certified Stamp Fee --	\$	100
Total -----	\$	1000