

RM4-1270

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(RECORDING INFORMATION ONLY ABOVE THIS LINE)  
This Instrument was prepared by: SEND TAX NOTICE TO:

R. Shan Paden  
PADEN & HARRIS  
Attorneys at Law  
100 Concourse Parkway, Suite 130  
Birmingham, Alabama 35244

WILLIAM K. SPARACINO  
JOYCE W. SPARACINO  
132 DOGWOOD TRAIL  
ALABASTER, AL 35007

STATE OF ALABAMA)

COUNTY OF SHELBY)

**WARRANTY DEED**

Know All Men by These Presents: That in consideration of ONE HUNDRED ELEVEN THOUSAND NINE HUNDRED DOLLARS and 00/100 (\$111,900.00) DOLLARS to the undersigned grantor, ROY MARTIN CONSTRUCTION, INC. a corporation, in hand paid by the GRANTEES herein, the receipt of which is hereby acknowledged, the said GRANTOR, does by these presents, grant, bargain, sell and convey unto WILLIAM K. SPARACINO and JOYCE W. SPARACINO, HUSBAND AND WIFE, (herein referred to as GRANTEES, whether one or more) as joint tenants, with right of survivorship, the following described real estate, situated in SHELBY County, Alabama, to-wit:

LOT 12, ACCORDING TO THE SURVEY OF PARK FOREST SUBDIVISION, 5TH SECTOR, AS RECORDED IN MAP BOOK 17, PAGE 91 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA; BEING SITUATED IN SHELBY COUNTY, ALABAMA.

MINERAL AND MINING RIGHTS EXCEPTED.

**SUBJECT TO:**

1. Subject to taxes for the year beginning October 1, 1993 which constitute a lien, but are not yet due and payable until October 1, 1994.
2. Any loss, claim, damage or expense including additional tax due, if any, due to the fact that ad valorem taxes for subject property have been paid under a current use assessment. (See 1975 Code of Alabama Section 40-7-25.3).
3. Building setback line of 35 feet reserved from Dogwood Trail as shown by plat.
4. Restrictions, covenants and conditions as set out in instrument(s) recorded as Instrument #1993-29538 in Probate Office.
5. Transmission Line Permit(s) to Alabama Power Company as shown by instrument(s) recorded in Deed 121 page 191 and Deed 154 page 423 in Probate Office.
6. Agreement with Alabama Power Company as to covenants pertaining there to, recorded as Instrument #1994-1195 in Probate Office.
7. 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 122 page 333 and Deed 325 page 546 in Probate Office.

Inst # 1994-08431  
03/16/1994-08431  
08:54 AM CERTIFIED  
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002 HJS 17.00

\$106,300.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

TO HAVE AND TO HOLD Unto the said GRANTEES as joint tenants, with right of survivorship, their heirs and assignees, 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 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 said GRANTOR does for itself, its successors and assigns, covenant with said GRANTEES, their heirs and assigns, that is lawfully seized in fee simple of said premises, that they are free from all encumbrances, unless otherwise noted above, that it has a good right to sell and convey the same as aforesaid, and that it will and its successors and assignees shall, warrant and defend the same to the said GRANTEES, their heirs, executors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said GRANTOR, ROY MARTIN CONSTRUCTION, INC., by its President, who is authorized to execute this conveyance, has hereunto set its signature and seal, this the 28th day of February, 1994.

ROY MARTIN CONSTRUCTION, INC.

By: *[Signature]*

Its: PRESIDENT

STATE OF ALABAMA)

COUNTY OF SHELBY)

#### ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that, whose name as of ROY MARTIN CONSTRUCTION, INC., a corporation, 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 or she, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand this the 28th of February, 1994.

*[Signature]*  
Notary Public

My commission expires: 2/17/96

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