

(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

KELLY E. FUQUA  
1612 KING JAMES DRIVE  
ALABASTER, ALABAMA 35007

STATE OF ALABAMA)

COUNTY OF SHELBY)

**WARRANTY DEED**

**Know All Men by These Presents:** That in consideration of SIXTY THREE THOUSAND NINE HUNDRED and 00/100 (\$63,900.00) DOLLARS to the undersigned grantor, **CARTER HOMES & DEVELOPMENT, 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 **KELLY E. FUQUA, A SINGLE PERSON**, (herein referred to as GRANTEES, whether one or more) the following described real estate, situated in SHELBY County, Alabama, to-wit:

LOT 36, ACCORDING TO THE SURVEY OF KINGWOOD TOWNHOMES, PHASE ONE, AS RECORDED IN MAP BOOK 9 PAGE 18, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

**SUBJECT TO:**

1. Subject to the taxes for the year beginning October 1, 1993, which constitutes a lien, but are not yet due and payable until October 1, 1994.
2. Building setback line of 30 feet reserved from King James Drive as shown by plat.
3. Restrictions, covenants and conditions as set out in instrument(s) recoded in Map Book 9 page 18 and as Instrument #1994-6472 in Probate Office.
4. Public easements as shown by recorded by plat, including 15 feet on the Easterly side of lot.
5. Transmission Line Permit(s) to Alabama Power Company as shown by instrument(s) recorded in Real 225 page 224, Deed Book 55 page 454, Real 48 page 65 and Real 59 page 380 in Probate Office.
6. Right(s)-of-Way(s) granted to South Central Bell by instrument(s) recorded in Deed Book 285 page 253 in Probate Office.
7. Easement(s) to Alabama Power Company as shown by instrument recorded in Real 20 page 247 in Probate Office.
8. Agreement with Alabama Power Company as to underground cables recorded in Real 12 page 549 and covenants pertaining thereto recorded in Real 12 page 548 in Probate Office.

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9. 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 136 page 992 in Probate Office.
10. Easement(s) to W.T. Booth Construction Company, Inc. as shown by instrument recorded in Real 152 page 505 in Probate Office.
11. Rights of owners of property adjoining property in and to the joint or common rights in building situated on said lots, such rights include but are not limited to roof, foundation, party walls, walkway and entrance.

\$62,577.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

**TO HAVE AND TO HOLD** Unto the said GRANTEES, their heirs and assigns, forever.

And said GRANTOR does for itself, its successors and assigns, covenant with the said GRANTEES, his, her, or their heirs and assigns, that it 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 assigns shall warrant and defend the same to the said GRANTEES, his, her, or their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said GRANTOR, **CARTER HOMES & DEVELOPMENT, INC.**, by its **PRESIDENT, KENNETH CARTER** who is authorized to execute this conveyance, has hereunto set its signature and seal, this the 3rd day of June, 1994.

**CARTER HOMES & DEVELOPMENT, INC.**

By: *Kenneth Carter* *Pres.*  
**KENNETH CARTER, 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 **KENNETH CARTER**, whose name as **PRESIDENT** of **CARTER HOMES & DEVELOPMENT, 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 3RD day of JUNE, 1994.

*Robert Dade*  
Notary Public

My commission expires: 7/16/94

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