

RECORDED 2nd

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was prepared by:

SEND TAX NOTICE TO:

BROWN-TURNER, L.L.C.  
Attorneys at Law  
211 22nd Street North  
Birmingham, Alabama 35203

ROBERT J. WOLFE  
4116 MOODY PARKWAY  
MOODY, ALABAMA 35004

STATE OF ALABAMA)

COUNTY OF SHELBY)

JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

WARRANTY DEED

Know All Men by These Presents: That in consideration of SIXTY-TWO THOUSAND and 00/100 (\$62,000.00) DOLLARS to the undersigned grantor, CALDWELL MILL JOINT VENTURE 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 ROBERT J. WOLFE and FLOSSIE D. WOLFE, HUSBAND AND WIFE, (herein referred to as GRANTEES, as joint tenants, with right of survivorship, whether one or more) the following described real estate, situated in SHELBY County, Alabama, to-wit:

LOT 5, ACCORDING TO A FINAL RECORD PLAT OF CALDWELL MILL TRACE, AS RECORDED IN MAP BOOK 18, PAGE 67, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

SUBJECT TO:

1. Subject to the taxes for the year beginning October 1, 1994, which constitutes a lien but are not yet due and payable until October 1, 1995.
2. 10 foot easement over the South and real lot lines and 7.5 foot easement along Northerly lot line of said parcel for public utilities, sanitary sewers, storm sewers, storm ditches as shown on recorded map.
3. 200 foot building restriction line from Caldwell Mill Road and a 50 foot building restriction line from rear lot line as shown on recorded map.
4. Restrictions appearing of record in Instrument #1995-06339 and on Map Book 18, Page 67.
5. Right of way and release of damages granted by USX Corporation to Alabama Power Company as recorded in Book 142, Page 148, dated 12-24-1986.
6. Easements for rights-of-way granted by United States Steel Corporation to Shelby County, Alabama recorded in book 233, Page 700; Book 93, and Book 72, page 350.
7. Covenants, reservations and easements as set forth in deed to be insured.
8. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto, including release of damages, as recorded in deed to be insured.

04/12/1995-09497  
01:06 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 MCD 12.00

Inst # 1995-09497

9. Covenants, Conditions, Restrictions, Reservations, Release of Damages and Easements as set forth in #1994-12960.
10. Agreement by Alabama Power Company as recorded in Instrument #1994-32454.

\$330,000.00 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 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 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, CALDWELL MILL JOINT VENTURE, by its SECRETARY/TREASURER, S. MAURICE HUMPHRIES who is authorized to execute this conveyance, has hereunto set its signature and seal, this the 3rd day of April, 1995.

CALDWELL MILL JOINT VENTURE

By:   
S. MAURICE HUMPHRIES  
SECRETARY/TREASURER

STATE OF ALABAMA)  
COUNTY OF JEFFERSON)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that S. MAURICE HUMPHRIES, whose name as SECRETARY/TREASURER of CALDWELL MILL JOINT VENTURE, 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 JOINT VENTURE.

Given under my hand this the 3rd day of April, 1995.

  
Notary Public

My commission expires:

05/03/98

Inst # 1995-09497

04/12/1995-09497  
01:06 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 MCD 12.00