

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was prepared by:

SEND TAX NOTICE TO:

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

JOHN W. COCKE  
1515-D KING JAMES DRIVE  
ALABASTER, AL 35007

01/16/1996-01421  
12:28 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 MCD 12.50

STATE OF ALABAMA)

COUNTY OF SHELBY)

JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

WARRANTY DEED

Know All Men by These Presents: That in consideration of SEVENTY THREE THOUSAND TWO HUNDRED and 00/100 (\$73,200.00) DOLLARS to the undersigned grantor, JOE ROSE HOMEBUILDERS, INC. 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 JOHN W. COCKE, A SINGLE PERSON and CINDY L. GIBSON, A SINGLE PERSON; (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 4, 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.

MINERALS AND MINING RIGHTS EXCEPTED.

1. Subject to the taxes for the year beginning October 1, 1995 which constitutes a lien but are not yet due and payable until October 1, 1996.
2. 30 foot building line as shown recorded map.
3. 15 foot easement on rear and 7.5 foot easement on west side of lot as shown on recorded map.
4. Restrictions as shown on recorded map.
5. Terms, agreements and right of way to Alabama Power Company recorded in Real Volume 12, Page 548.
6. Agreement with Alabama Power Company relating to underground residential distribution system as recorded in Real Volume 12, Page 549.
7. Right-of-way granted to Alabama Power Company recorded in Real Volume 59, Page 380.

\$72,035.00 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, JOE ROSE HOMEBUILDERS, INC., by its PRESIDENT, JOE ROSE who is authorized to execute this conveyance, has hereunto set its signature and seal, this the 29th day of December, 1995.

JOE ROSE HOMEBUILDERS, INC.

By: Joe Rose Pres.  
JOE ROSE, 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 JOE ROSE, whose name as PRESIDENT of JOE ROSE HOMEBUILDERS, 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 29 day of December, 1995.

R. H. S. P.  
Notary Public

My commission expires: 7/16/98

Inst # 1996-01421

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