

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was prepared by:

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SEND TAX NOTICE TO:

JAMES L. SEALE  
939 CAMP BRANCH ROAD  
ALABASTER, AL 35007

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 SEVEN THOUSAND EIGHT HUNDRED SEVENTY SEVEN and 00/100 (\$67,877.00) DOLLARS to the undersigned grantor, HEATHERBROOKE CONSTRUCTION CO., INC. in hand paid by the GRANTEE herein, the receipt of which is hereby acknowledged, the said GRANTOR, does by these presents, grant, bargain, sell and convey unto JAMES L. SEALE and POATANA ANN SEALE, HUSBAND AND WIFE, (herein referred to as GRANTEE, as joint tenants, with right of survivorship, whether one or more) the following described real estate, situated in SHELBY County, Alabama, to-wit:

LOT 2, ACCORDING TO THE SURVEY OF SEALE SUBDIVISION, AS RECORDED IN MAP BOOK 18, PAGE 124, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

SUBJECT TO:

1. Subject to the taxes for the year beginning October 1, 1996 which constitutes a lien but are not yet due and payable until October 1, 1997.
2. Less and except any part of subject property lying within Camp Branch Road right of way.
3. Easement, as shown by recorded map.
4. Right of way to South Central Bell, recorded in Volume 353, Page 780 and Volume 336, page 241, in the Probate Office of Shelby County, Alabama.
5. Conditions, Restrictions, Limitations, Mineral and mining rights and rights incident thereto and Release of Damages recorded in Volume 330, Page 437, in the Probate Office of Shelby County, Alabama, but omitting any covenant or restriction based on race, color, religion, sex, handicap, familial status, or nation origin.

\$30,000.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

TO HAVE AND TO HOLD Unto the said GRANTEE 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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SHELBY COUNTY JUDGE OF PROBATE  
002 MCD 49.00

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, HEATHERBROOKE CONSTRUCTION CO., INC., by its PRESIDENT, ROBERT O. LUCAS, II who is authorized to execute this conveyance, has hereunto set its signature and seal, this the 29th day of January, 1997.

HEATHERBROOKE CONSTRUCTION CO. INC.

By:   
ROBERT O. LUCAS, II, 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 ROBERT O. LUCAS, II, whose name as PRESIDENT of HEATHERBROOKE CONSTRUCTION CO., 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 29th day of January, 1997.

  
Notary Public

My commission expires: 7/16/98

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