

Inst # 1997-20604

(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

WILLIAM A. STEWART
335 WIXFORD TRACE
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 ONE HUNDRED FORTY SIX THOUSAND NINE HUNDRED and 00/100 (\$146,900.00) 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 WILLIAM A. STEWART and ALICIA S. STEWART, 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 329, ACCORDING TO THE SURVEY OF WEATHERLY-WIXFORD MOOR, SECTOR 24, AS RECORDED IN MAP BOOK 20, PAGE 144, 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. Restrictions as recorded in Instrument #1996-7634 and Instrument #1996-7635, in the Probate Office of Shelby County, Alabama.
3. 35 foot building line as shown by map recorded in the Probate Office of Shelby County, Alabama.
4. 10 foot easement along the Northwesterly lot line as shown by map recorded in the Probate Office of Shelby County, Alabama.
5. Oil, gas, mining and mineral rights and any easements, restrictions or rights of way on, under, over or across said property herein above described.

\$149,838.00 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;

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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 , JOE ROSE PRESIDENT who is authorized to execute this conveyance, has hereunto set its signature and seal, this the 19th day of June, 1997.

JOE ROSE HOMEBUILDERS, INC.

By: Joe Rose
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 PRESIDENT, whose name as 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 19th day of June, 1997.

Robert E. Baker
Notary Public

My commission expires: 2-17-2000

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