

This instrument was prepared by

SEND TAX NOTICE TO:

ANTHONY D. SNABLE
2700 Highway 280 South
Suite 101-W
Birmingham, Alabama 35223

MICHAEL D. COOK
228 TREYMOOR LAKE CIRCLE
ALABASTER, AL 35007

File #S70184

WARRANTY DEED

JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

STATE OF ALABAMA
SHELBY COUNTY

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of ONE HUNDRED FIFTY FOUR THOUSAND NINE HUNDRED and 00/100 (\$154,900.00) DOLLARS to the undersigned grantor (whether one or more), in hand paid by the grantee herein, the receipt whereof is acknowledged, I or we, CARTER HOMEBUILDERS, INC. (herein referred to as grantor, whether one or more), grant, bargain, sell and convey unto MICHAEL D. COOK and ANNE P. COOK, HUSBAND AND WIFE (herein referred to as GRANTEES, whether one or more), as joint tenants with right of survivorship, the following described real estate, situated in SHELBY County, Alabama to-wit:

LOT 491, ACCORDING TO THE SURVEY OF WEATHERLY, TREYMOOR ABBEY, SECTOR 22, AS RECORDED IN MAP BOOK 21, PAGE 59, 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. Excepting therefrom title to all minerals of every kind and character within and underlying the premises, together with mining rights and other rights, privileges and immunities relating thereto.
3. Restrictions appearing of record in Real Instrument #1996-22787, in the Probate Office of Shelby County, Alabama.
4. Easements, setback lines, and restrictions as shown on the recorded map.

\$100,000.00 of the consideration herein was derived from a mortgage loan closed simultaneously herewith.

TO HAVE AND TO HOLD to the said GRANTEES as joint tenants, with right of survivorship. And said GRANTOR does for itself, its successors and assigns, covenant with said GRANTEES, their heirs and assigns, that is lawfully seized in fee simple of said premises, that they are free from all encumbrances, 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, their heirs, executors and assigns forever, against the lawful claims of all persons.

And I (we) do, for myself (ourselves) and for my (our) heirs, executors and administrators, covenant with said GRANTEES, his, her or their heirs and assigns, that I am (we are) lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise stated above; that I (we) have a good right to sell and convey the same as aforesaid; that I (we) will, and my (our) heirs, executors and administrators shall warrant and defend the same to the said grantee, his, her or their heirs and assigns forever, against the lawful claims of all persons.

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SHELBY COUNTY JUDGE OF PROBATE
002 MCD 66.00

Inst # 1997-28871

IN WITNESS WHEREOF, the said GRANTOR, by RAYBURN CARTER, its VICE PRESIDENT, of CARTER HOMEBUILDERS, INC., a corporation, who is authorized to execute this conveyance has hereto set its signature and seal, this the 20th day of August, 1997.


CARTER HOMEBUILDERS, INC.

 (SEAL)
RAYBURN CARTER, VICE PRESIDENT

STATE OF ALABAMA
JEFFERSON COUNTY

I, THE UNDERSIGNED, a Notary Public in and for said County, in said State, here by certify that RAYBURN CARTER whose name as VICE PRESIDENT of CARTER 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, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation, on the day the same bears date.

Given under my hand and official seal this 20th day of August, 1997.


Notary Public

My commission expires 10-24-99

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