

(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

CAROLIE SMITH  
2007 ASHLEY BROOK WAY  
HELENA, AL 35080

STATE OF ALABAMA)

COUNTY OF SHELBY)

JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

WARRANTY DEED

Know All Men by These Presents: That in consideration of EIGHTY SEVEN THOUSAND THREE HUNDRED FIFTY and 00/100 (\$87,350.00) DOLLARS to the undersigned grantor, BUILD-ALL CONSTRUCTION, INC. in hand paid by the GRANTEEES herein, the receipt of which is hereby acknowledged, the said GRANTOR, does by these presents, grant, bargain, sell and convey unto CAROLIE SMITH, A MARRIED PERSON and ROBERT D. PEROTHERS, A MARRIED PERSON, (herein referred to as GRANTEEES, as joint tenants, with right of survivorship, whether one or more) the following described real estate, situated in SHELBY County, Alabama, to-wit:

LOT 69, ACCORDING TO THE SURVEY OF ASHLEY BROOK, AS RECORDED IN MAP BOOK 22, PAGE 78, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

SUBJECT TO:

1. Taxes for the year beginning October 1, 1997 which constitutes a lien but are not yet due and payable until October 1, 1998.
2. Building line as shown on recorded map.
3. Restrictions and covenants appearing of record in Inst. #1997-13189.
4. Easements for driving purposes as shown by instrument recorded in Deed Book 311, page 153.
5. Right-of-way granted to Shelby county recorded in Volume 154, page 384.
6. Easement granted to the Town of Helena as shown by instrument recorded in Volume 305, pages 394, 396, 398, 400 and 402.
7. Easement granted to Plantation Pipeline Company as recorded in Volume 113, page 61, supplemented by Deed Book 258, page 49 and Deed Book 180, page 192, supplemented by Deed Book 258, page 47.

\$78,615.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

TO HAVE AND TO HOLD Unto the said GRANTEEES 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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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, BUILD-ALL CONSTRUCTION, INC., by its PRESIDENT, BILLY GOSSETT who is authorized to execute this conveyance, has hereunto set its signature and seal, this the 31st day of October, 1997.

BUILD-ALL CONSTRUCTION, INC.

By: Billy Gossett  
BILLY GOSSETT, 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 BILLY GOSSETT, whose name as PRESIDENT of BUILD-ALL CONSTRUCTION, 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 31st day of October, 1997.

Robert J. Red  
Notary Public

My commission expires: 7/16/98

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