

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was
prepared by:

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PADEN & PADEN
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Birmingham, Alabama 35244

SEND TAX NOTICE TO:

MICHAEL R. SKATES
1328 APPLGATE DRIVE
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 NINE THOUSAND NINE HUNDRED and 00/100 (\$69,900.00) DOLLARS to the undersigned grantor or grantors in hand paid by the GRANTEEES herein, the receipt of which is acknowledged, we, MARK S. ROTHENSTINE and KELLY S. ROTHENSTINE, HUSBAND AND WIFE (herein referred to as GRANTORS) do grant, bargain, sell and convey unto MICHAEL R. SKATES and DEBORAH M. SKATES, HUSBAND AND WIFE, (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 40, A RESURVEY OF LOTS 1 THROUGH 64, LOTS 89 THROUGH 104 AND LOTS A THROUGH C OF APPLGATE MANOR, AS RECORDED IN MAP BOOK 10, PAGE 25, 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. 30 foot building line as shown on recorded map.
3. 15 foot easement on rear of lot as shown on recorded map.
4. 2.5 foot easement on west side of lot as shown on recorded map.
5. Right-of-way granted to Alabama Power Company recorded in Real Volume 59, page 376.
6. Agreement with Alabama Power Company relating to underground residential distribution system as recorded in Real Volume 60, page 745.
7. Restrictions and covenants appearing of record in Real Volume 60, page 748; Real Volume 63, page 634 and Inst. #1994-16976.

\$69,900.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

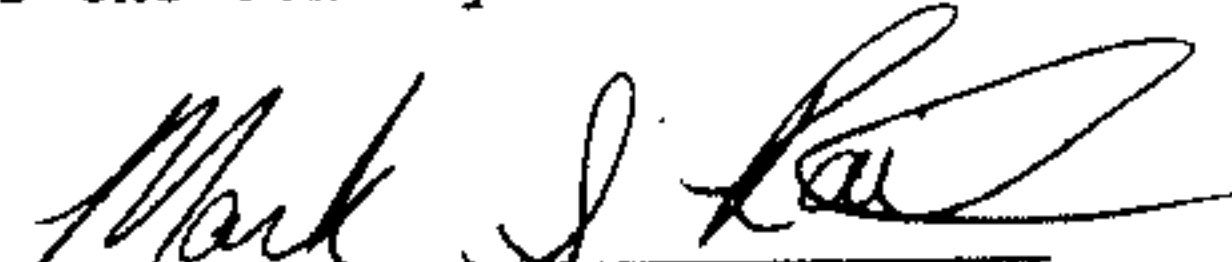
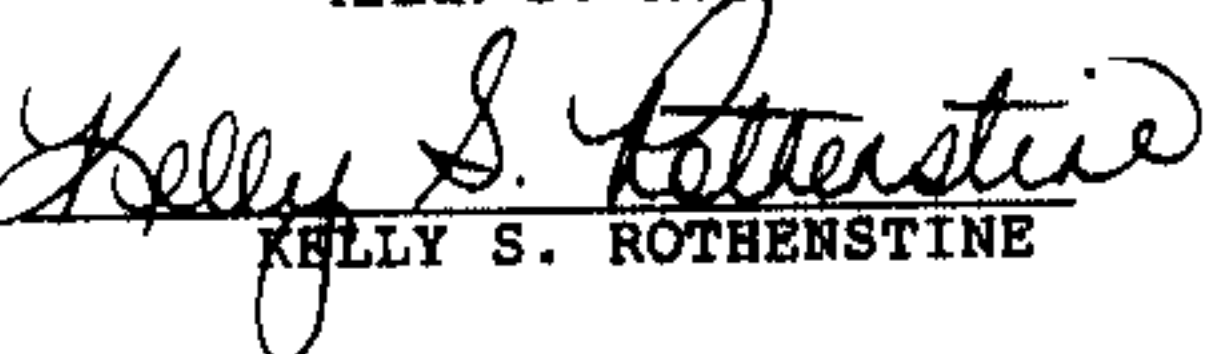
TO HAVE AND TO HOLD Unto the said GRANTEEES as joint tenants, with right of survivorship, their heirs and assigns, forever; it being the intention of the parties to this conveyance, that (unless the joint tenancy hereby created is severed or terminated during the joint lives of the grantees herein) in 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

11/21/1997-38096
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other, then the heirs and assigns of the grantees herein shall take as tenants in common.

And I (we) do for myself (ourselves) and for my (our) heirs, executors, and administrators covenant with the 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 noted 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 GRANTEES, his, her, or their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said GRANTORS, MARK S. ROTHENSTINE and KELLY S. ROTHENSTINE, HUSBAND AND WIFE, have hereunto set his, her or their signature(s) and seal(s), this the 6th day of November, 1997.


MARK S. ROTHENSTINE

KELLY S. ROTHENSTINE

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that MARK S. ROTHENSTINE and KELLY S. ROTHENSTINE, HUSBAND AND WIFE, whose name(s) is (are) signed to the foregoing conveyance, and who is (are) known to me, acknowledged before me on this day that, being informed of the contents of the conveyance he, she, or they executed the same voluntarily on the day the same bears date.

Given under my hand this the 6th day of November, 1997.


Notary Public

My commission expires: 7/16/98

Inst # 1997-38096

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