

Inst # 1997-40618

(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

DAVID FOLSOM
113C ST. CHARLES DRIVE
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 ONE HUNDRED FORTY NINE THOUSAND NINE HUNDRED and 00/100 (\$149,900.00) DOLLARS to the undersigned grantor, ROYAL CONSTRUCTION & DEVELOPMENT COMPANY, 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 DAVID FOLSOM and PAMELA FOLSOM, 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 27-A, ACCORDING TO THE SURVEY OF ST. CHARLES PLACE, PHASE ONE, SECTOR TWO, AS RECORDED IN MAP BOOK 22 PAGE 59 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 setback line(s) as shown by recorded plat, from St. Charles Place.
3. Easements as shown by recorded plat, including a 20 foot easement on the Southerly side and 10 feet on the Westerly side of lot.
4. Restrictions, covenants and conditions as set out in instrument(s) recorded in Inst. #1997-9556 in Probate Office.
5. Transmission Line Permit(s) to Alabama Power Company as shown by instrument(s) recorded in Deed Book 133 page 55 and Deed Book 130 page 166 in Probate Office.
6. Restrictions, limitations and conditions as set out in Map Book 22 page 59.
7. The following "NOTE" which appears on the said recorded plat: "NOTE: CROSS HATCHED AREA IS APPROXIMATE LOCATION OF MINES AS PER MAP FURNISHED BY OWNER. SOILS ENGINEER SHOULD BE CONSULTED BEFORE ANY CONSTRUCTION IS STARTED IN THIS AREA. SEE "UNDERGROUND MINE REVIEW "PROJECT NO. 946/07235.4 BY GALLETT & ASSOC."
8. Oil, Gas and Mineral Lease to Cabot Oil and Gas Corporation as set out in Inst. No. 1992-11400 in the Probate Office.

\$134,900.00 of the consideration herein was derived from a mortgage closed simultaneously herewith

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10:00 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 MEL 26.00

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; 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, ROYAL CONSTRUCTION & DEVELOPMENT COMPANY, INC., by its PRESIDENT, NATHAN GILBERT who is authorized to execute this conveyance, has hereunto set its signature and seal, this the 26th day of November, 1997.

ROYAL CONSTRUCTION & DEVELOPMENT COMPANY, INC.

By:

Nathan E. Gilbert
NATHAN GILBERT, 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 NATHAN GILBERT, whose name as PRESIDENT of ROYAL CONSTRUCTION & DEVELOPMENT COMPANY, 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 26th day of November, 1997.

R. S. P.
Notary Public

My commission expires: 7/16/98

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