

(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

STACEY L. DEFRANCO
4016 VIRGINIA LANE
HELENA, AL 35080

Inst # 1998-06638
02/27/1998-06638
08:27 AM CER 1111EN
SHELBY COUNTY JUDGE OF PROBATE
18.50
902 HEL

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 NINE THOUSAND DOLLARS and 00/100 (\$89,000.00) DOLLARS to the undersigned grantor, BUILD-ALL CONSTRUCTION, 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 STACEY L. DEFRANCO and DIANE L. DEFRANCO, 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 36, ACCORDING TO THE SURVEY OF ASHLEY BROOK TOWNHOMES, 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 setback line of 25 feet reserved from Virginia Lane as shown by plat.
3. Easements as shown by recorded plat, including 10 feet along the Westerly side of lot.
4. Restrictions, covenants and conditions as set out in instrument(s) recorded in Inst. #1997-13189 in Probate Office.
5. Easement(s) to Town of Helena as shown by instrument recorded in Deed Book 305 pages 394, 396, 398, 400 and 402 in Probate Office.
6. Easement(s) to Alabama Power Company as shown by instrument recorded in Real 1 page 332 in Probate Office.
7. Easement(s) for driving purposes as shown by instrument recorded in Deed Book 311 page 153 in Probate Office.
8. Rights of owners adjoining property in and to the joint or common rights in building situated on said lots, such rights include but are not limited to roof, foundation, party walls, walkway and entrance.

\$81,902.00 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 GRANTEE, 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 GRANTEE, 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 20th day of February, 1998.

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 20th day of February, 1998.

Mary Margaret Kelle
Notary Public

My commission expires: *2/24/2000*

Inst # 1998-06638

02/27/1998-06638
08:27 AM CERIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 NEL 18.50