

(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

JANIS M. CLEMENTS  
7807 WELLWOOD CIRCLE  
HELENA, AL 35080

STATE OF ALABAMA)  
COUNTY OF SHELBY)

Inst. # 1998-43845  
11/06/1998-43845  
09:04 AM CERTIFIED  
SHELBY COUNTY JUDGE & CLERK  
\$12.00

**WARRANTY DEED**

**Know All Men by These Presents:** That in consideration of ONE HUNDRED TEN THOUSAND NINE HUNDRED and 00/100 DOLLARS (\$110,900.00) DOLLARS to the undersigned grantor, JOE ROSE HOMEBUILDERS, INC. a corporation, 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 JANIS M. CLEMENTS, AN UNMARRIED PERSON, (herein referred to as GRANTEES, whether one or more) the following described real estate, situated in SHELBY County, Alabama, to-wit:

LOT 113, ACCORDING TO THE SURVEY OF WYNDHAM, WELLINGTON SECTOR, PHASE II, AS RECORDED IN MAP BOOK 23, PAGE 64 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

SUBJECT TO:

1. TAXES FOR THE YEAR BEGINNING OCTOBER 1, 1998 WHICH CONSTITUTES A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 1999.
2. TERMS, PROVISIONS, OPTIONS, RIGHTS OF FIRST REFUSAL, COVENANTS, CONDITIONS, RESTRICTIONS, EASEMENTS, CHARGES, ASSESSMENTS AND LIENS PROVIDED IN THE COVENANTS, CONDITIONS AND RESTRICTIONS RECORDED IN INSTRUMENT #1997-39333.
3. RESTRICTIONS, PUBLIC UTILITY EASEMENTS, AND SETBACK LINES AS SHOWN ON RECORDED SURVEY OF WYNDHAM, WELLINGTON SECTOR, PHASE II, AS RECORDED IN MAP BOOK 23, PAGE 64 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

\$60,000.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

**TO HAVE AND TO HOLD** Unto the said GRANTEES, their heirs and assigns, forever.

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, JOE ROSE HOMEBUILDERS, INC., by its PRESIDENT, JOE ROSE who is authorized to execute this conveyance, has hereunto set its signature and seal, this the 29th day of October, 1998.

JOE ROSE HOMEBUILDERS, INC.  
By: Joe Rose  
JOE ROSE, 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 JOE ROSE, whose name as PRESIDENT of JOE ROSE 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 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 29TH day of OCTOBER, 1998.

Lyne M. Vaughn  
Notary Public

My commission expires: 9-29-08

Inst # 1998-43845

11/06/1998-43845  
09:04 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
DOE NEL 62.00