

This instrument was prepared by

SEND TAX NOTICE TO:

ANTHONY D. SNABLE  
2700 Highway 280 South  
Suite 101-W  
Birmingham, Alabama 35223

KIMBERLY A. RACO  
2700 B CALDWELL AVENUE  
BIRMINGHAM, AL 35205

File #880526MTE

WARRANTY DEED

JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

STATE OF ALABAMA  
JEFFERSON COUNTY

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of **NINETY ONE THOUSAND TWO HUNDRED DOLLARS and 00/100 (\$91,200.00) DOLLARS** to the undersigned grantor (whether one or more), in hand paid by the grantee herein, the receipt whereof is acknowledged, I or we, **PINNACLE BANK** (herein referred to as grantor, whether one or more), grant, bargain, sell and convey unto **KIMBERLY A. RACO AND HUSBAND, DOMINICK A. RACO, JR.** (herein referred to as **GRANTEES**, whether one or more), as joint tenants with right of survivorship, the following described real estate, situated in **SHELBY County, Alabama** to-wit:

**LOT 44, 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. Subject to the taxes for the year beginning October 1, 1998, which constitutes a lien, but are not yet due and payable until October 1, 1999.
2. RESTRICTIONS, COVENANTS AND/OR RESERVATIONS OF RECORD, IF ANY.
3. ALL OUTSTANDING RIGHTS OF REDEMPTION IN FAVOR OF ALL PERSONS ENTITLED TO REDEEM THAT PROPERTY FROM THAT CERTAIN MORTGAGE FORECLOSURE SALE EVIDENCED BY MORTGAGE FORECLOSURE DEED DATED THE DAY OF APRIL 6, 1998 AND RECORDED IN INST. NO. 1998-13472 AND THAT CERTIAN MORTGAGE BY B&S LAND DEVELOPMENT CO., INC TO PINNACLE BANK RECORDED IN INST. NO. 1997-16538 IN JEFFERSON COUNTY ALABAMA.

\$86,640.00 of the consideration herein was derived from a mortgage loan closed simultaneously herewith.

TO HAVE AND TO HOLD to the said **GRANTEES** as joint tenants, with right of survivorship. And said **GRANTOR** does for itself, its successors and assigns, covenant with said **GRANTEES**, their heirs and assigns, that is lawfully seized in fee simple of said premises, that they are free from all encumbrances, 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**, their heirs, executors and assigns forever, against the lawful claims of all persons.

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

11/06/1998-44094  
03:04 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 CRH 16.00

Inst. # 1998-44094

IN WITNESS WHEREOF, PINNACLE BANK the said GRANTOR, by R.D. HESTER, its CONSTRUCTION LOAN OFFICER, of PINNACLE BANK, a corporation, who is authorized to execute this conveyance has hereto set its signature and seal, this the 7th day of October, 1998.


PINNACLE BANK

 (SEAL)  
R.D. HESTER, CONSTRUCTION LOAN OFFICER

STATE OF ALABAMA  
JEFFERSON COUNTY

I, THE UNDERSIGNED, a Notary Public in and for said County, in said State, here by certify that R.D. HESTER whose name as CONSTRUCTION LOAN OFFICER of PINNACLE BANK, 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, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation, on the day the same bears date.

Given under my hand and official seal this 7th day of October, 1998.

  
Notary Public  
My commission expires 10-11-99

Inst # 1998-44094

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