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Inst # 1998-46149

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was prepared by:

R. Shan Paden
PADEN & PADEN
Attorneys at Law
100 Concourse Parkway, Suite 130
Birmingham, Alabama 35244

SEND TAX NOTICE TO:

JAMES BAKER
1434 APPLGATE DRIVE
ALABASTER, AL 35007

STATE OF ALABAMA)

COUNTY OF SHELBY)

WARRANTY DEED

Know All Men by These Presents: That in consideration of SIXTY SEVEN THOUSAND and 00/100 (\$67,000.00) DOLLARS to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, LYNN S FRANKLIN, A MARRIED PERSON (herein referred to as GRANTORS) do grant, bargain, sell and convey unto JAMES BAKER, (herein referred to as GRANTEES, whether one or more) the following described real estate, situated in SHELBY County, Alabama, to-wit:

LOT 11, ACCORDING TO 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, 1998 WHICH CONSTITUTES A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 1999.
2. BUILDING SETBACK LINE OF 30 FEET RESERVED FROM APPLGATE DRIVE AS SHOWN BY PLAT.
3. EASEMENTS AS SHOWN BY RECORDED PLAT, INCLUDING 15 FEET ON THE EAST SIDE, AND A 5 FOOT PEDESTRIAN EASEMENT ON THE NORTH SIDE OF LOT.
4. RESTRICTIONS, COVENANTS AND CONDITIONS AS SET OUT IN INSTRUMENT(S) RECORDED IN REAL 63 PAGE 634 AND AMENDED IN REAL 125 PAGE 299 IN PROBATE OFFICE.
5. RIGHT(S)-OF-WAY(S) GRANTED TO SOUTH CENTRAL BELL BY INSTRUMENT(S) RECORDED IN DEED 337 PAGE 235 IN PROBATE OFFICE.
6. EASEMENT(S) TO ALABAMA POWER COMPANY AS SHOWN BY INSTRUMENT RECORDED IN DEED 59 PAGE 376 IN PROBATE OFFICE.
7. AGREEMENT WITH ALABAMA POWER COMPANY AS TO UNDERGROUND CABLES RECORDED IN DEED 60 PAGE 745 AND COVENANTS PERTAINING THERETO RECORDED IN REAL 60 PAGE 748 IN PROBATE OFFICE.
8. RIGHTS OF OWNERS OF PROPERTY 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.

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9. BY-LAWS OF APPLGATE TOWNHOUSE ASSOCIATION, INC. WHICH ARE RECORDED AS PART OF THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR APPLGATE TOWNHOUSE, AS RECORDED IN REAL 63 PAGE 634 IN PROBATE OFFICE.

\$68,300.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

SUBJECT PROPERTY DOES NOT CONSTITUTE THE HOMESTEAD OF THE GRANTOR NOR THAT OF HER RESPECTIVE SPOUSE.

TO HAVE AND TO HOLD Unto the said GRANTEES, his, her or their heirs and assigns, forever.

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, LYNN S FRANKLIN, have hereunto set his, her or their signature(s) and seal(s), this the 2nd day of November, 1998.

Lynn S. Franklin
LYNN S FRANKLIN

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that LYNN S FRANKLIN, 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 2ND day of NOVEMBER, 1998.

[Signature]
Notary Public

My commission expires: 7/11/02

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