

(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

MARCIA D. LESTER  
1009 ASHLEY BROOK LANE  
HELENA, AL 35080

Inst # 1998-49449

12/11/1998-49449  
11:11 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
13.00  
002 MEL

STATE OF ALABAMA)

COUNTY OF SHELBY)

# WARRANTY DEED

**Know All Men by These Presents:** That in consideration of NINETY EIGHT THOUSAND NINE HUNDRED and 00/100 DOLLARS (\$98,900.00) 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 MARCIA D. LESTER, 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 75, 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. 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 LINES AND EASEMENTS AS SHOWN BY RECORDED PLAT.
3. RESTRICTIONS, COVENANTS AND CONDITIONS AS SET OUT IN INSTRUMENT(S) RECORDED IN INST. #1997-13189 IN PROBATE OFFICE.
4. EASEMENT(S) TO TOWN OF HELENA AS SHOWN BY INSTRUMENT RECORDED IN DEED BOOK 305 PAGE 394; DEED BOOK 305 PAGE 396; DEED BOOK 305 PAGE 400 AND DEED BOOK 305 PAGE 402 IN PROBATE OFFICE.
5. EASEMENT(S) TO ALABAMA POWER COMPANY AS SHOWN BY INSTRUMENT RECORDED IN REAL 1 PAGE 332 IN PROBATE OFFICE.
6. EASEMENT(S) FOR DRIVING PURPOSES AS SHOWN BY INSTRUMENT RECORDED IN DEED BOOK 311 PAGE 153 IN PROBATE OFFICE.
7. RESTRICITIONS, LIMITATIONS AND CONDITIONS AS SET OUT IN MAP BOOK 22 PAGE 78.
8. RIGHTS OF OWNERS OF PROPERTY ADJOINING PROPERTY IN AND TO THE JOINT OR COMMON RIGHTS IN BUIDLING SITUATED ON SAID LOTS, SUCH RIGHTS INCLUDE BUT ARE NOT LIMITED TO ROOF, FOUNDATION, PARTY WALLS, WALKWAY AND ENTRANCE.

\$96,900.00 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 3rd day of December, 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 3RD day of DECEMBER, 1998.

Robert S. Paul  
Notary Public

My commission expires: 7/11/02

Inst # 1998-49449

12/11/1998-49449  
11:11 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 MEL 13.00