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Post # 1999-15959

(RECORDING INFORMATION ONLY ABOVE THIS LINE)
This Instrument was prepared by: SEND TAX NOTICE TO:

R. Shan Paden
PADEN & PADEN
Attorneys at Law
5 Riverchase Ridge Suite 100
Birmingham, Alabama 35244

J. BRIAN MURPHY
1097 WYNDHAM LANE
HELENA, AL 35080

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

WARRANTY DEED

Know All Men by These Presents: That in consideration of EIGHTY EIGHT THOUSAND NINE HUNDRED and 00/100 DOLLARS (\$88,900.00) 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 J. BRIAN MURPHY, A SINGLE PERSON, (herein referred to as GRANTEES, whether one or more) the following described real estate, situated in JEFFERSON County, Alabama, to-wit:

LOT 259, ACCORDING TO THE SURVEY OF WYNDHAM, WILKERSON, PHASE 5 AND A RESURVEY OF WYNDHAM, WILKERSON SECTOR, PHASE III, AS RECORDED IN MAP BOOK 24, PAGE 128, 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. RESTRICTIONS, PUBLIC UTILITY EASEMENTS, AND SETBACK LINES AS SHOWN ON RECORDED MAP OF SAID SUBDIVISION.
3. TERMS, PROVISIONS, COVENANTS, CONDITIONS, RESTRICTIONS, EASEMENTS, CHARGES, ASSESSMENTS AND LIENS PROVIDED IN THE COVENANTS, CONDITIONS AND RESTRICTIONS RECORDED IN INSTRUMENT #1998/47086.
4. SINK HOLE EXCEPTION AS SHOWN IN DECLARATION OF PROTECTIVE COVENANTS RECORDED IN INSTRUMENT #1998/47086 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
5. EASEMENT TO PLANTATION PIPELINE COMPANY, RECORDED IN DEED BOOK 258, PAGE 49, DEED BOOK 113, PAGE 61, DEED BOOK 180, PAGE 192, DEED BOOK 258, PAGE 47, DEED BOOK 258, PAGE 49 AND DEED BOOK 180, PAGE 192, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
6. EASEMENT RECORDED IN DEED BOOK 311, PAGE 153, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
7. RIGHT OF INGRESS AND EGRESS AS RECORDED IN REAL 192, PAGE 743, REAL 250, PAGE 894 AND REAL 251, PAGE 602 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
8. RESERVATION OF MINERALS AND MINING RIGHTS IN THE INSTRUMENT RECORDED DEED BOOK 324, PAGE 362, TOGETHER WITH THE APPURTENANT RIGHTS TO USE THE SURFACE.

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9. EASEMENT TO SOUTHERN NATURAL GAS, RECORDED IN DEED BOOK 88, PAGE 551, DEED BOOK 146, PAGE 301, DEED BOOK 147, PAGE 579 AND DEED BOOK 213, PAGE 155, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
10. EASEMENT FOR ALABAMA POWER COMPANY RECORDED IN REAL 142, PAGE 221, REAL 183, PAGE 230, REAL 230, PAGE 774 AND REAL 1, PAGE 332, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
11. RIGHT OF WAY TO SHELBY COUNTY, RECORDED IN VOLUME 154, PAGE 384, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
12. COVENANTS AND AGREEMENTS FOR CONSULTING FEES AS SHOWN BY INSTRUMENT(S) RECORDED IN INSTRUMENT #1997/94 AND INSTRUMENT #1997/27775 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

\$71,100.00 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 31st day of March, 1999.

JOE ROSE HOMEBUILDERS, INC.

By: 

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 31ST day of MARCH, 1999.


Notary Public

My commission expires: 7/11/02

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