

4843

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was prepared by:

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

SEND TAX NOTICE TO:

ALLAN R. XANDERS
290 HIGHWAY 306
CALERA, AL 35040

Inst # 1999-37916

09/09/1999-37916
10:59 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 CRM 70.00

STATE OF ALABAMA)

COUNTY OF SHELBY)

JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

WARRANTY DEED

Know All Men by These Presents: That in consideration of ONE HUNDRED SEVENTY EIGHT THOUSAND NINE HUNDRED and 00/100 (\$178,900.00) DOLLARS to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, WAYNE GOTTIER and MAUREEN R. GOTTIER, HUSBAND AND WIFE (herein referred to as GRANTORS) do grant, bargain, sell and convey unto ALLAN R. XANDERS and MARGARET XANDERS, HUSBAND AND WIFE, (herein referred to as GRANTEES, as joint tenants, with right of survivorship, whether one or more) the following described real estate, situated in SHELBY County, Alabama, to-wit:

LOT 23, ACCORDING TO THE MAP OF COUNTRY VIEW ESTATES, PHASE I, AS RECORDED IN MAP BOOK 10 PAGE 10 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA; BEING SITUATED IN SHELBY COUNTY, ALABAMA.

ALSO, COMMENCE AT THE NW CORNER OF LOT 23, COUNTRY VIEW ESTATES, PHASE I, AS RECORDED IN MAP BOOK 10 PAGE 10 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA, AND RUN THENCE SOUTHWESTERLY ALONG THE WESTERNMOST LINE OF SAID LOT 23, A DISTANCE OF 111.21 FEET TO THE POINT OF BEGINNING OF THE PROPERTY BEING DESCRIBED; THENCE CONTINUE ALONG LAST DESCRIBED COURSE 143.64 FEET TO A POINT; THENCE TURN 90 DEG. 39 MIN. 44 SEC. LEFT AND RUN 193.58 FEET TO A POINT; THENCE TURN 92 DEG. 39 MIN. 24 SEC. LEFT AND RUN 140.18 FEET TO A POINT; THENCE TURN 86 DEG. 30 MIN. 00 SEC. LEFT AND RUN 185.0 FEET TO THE POINT OF BEGINNING; BEING SITUATED IN SHELBY COUNTY, ALABAMA.

MINERAL AND MINING RIGHTS EXCEPTED.

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 AND EASEMENTS AS SHOWN BY RECORDED PLAT.
3. RESTRICTIONS, COVENANTS AND CONDITIONS AS SET OUT IN INSTRUMENT(S) RECORDED IN REAL 82 PAGE 741, REAL 96 PAGE 356, REAL 335 PAGE 376 AND INST. #1992-25963 IN PROBATE OFFICE.

- 4. TITLE TO ALL MINERALS WITHIN AND UNDERLYING THE PREMISES, TOGETHER WITH ALL MINING RIGHTS AND OTHER RIGHTS, PRIVILEGES AND IMMUNITIES RELATING THERETO, INCLUDING RIGHTS SET OUT IN REAL 34 PAGE 130 IN PROBATE OFFICE.
- 5. RESTRICTIONS, LIMITATIONS AND CONDITIONS AS SET OUT IN MAP BOOK 10 PAGE 10.

\$120,000.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

TO HAVE AND TO HOLD Unto the said GRANTEES as joint tenants, with right of survivorship, their heirs and assigns, forever; it being the intention of the parties to this conveyance, that (unless the joint tenancy hereby created is severed or terminated during the joint lives of the grantees herein) in the event one grantee herein survives the other, the entire interest in fee simple shall pass to the surviving grantee, and if one does not survive the other, then the heirs and assigns of the grantees herein shall take as tenants in common.

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, WAYNE GOTTIER and MAUREEN R. GOTTIER, HUSBAND AND WIFE, have hereunto set his, her or their signature(s) and seal(s), this the 25th day of August, 1999.

Wayne Gottier
 WAYNE GOTTIER

Maureen R. Gottier
 MAUREEN R. GOTTIER

STATE OF ALABAMA)
 COUNTY OF SHELBY)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that WAYNE GOTTIER and MAUREEN R. GOTTIER, HUSBAND AND WIFE, 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 25th day of August, 1999.

[Signature]
 Notary Public

My commission expires: *7/1/02*

Inst # 1999-37916
 09/09/1999-37916
 10:59 AM CERTIFIED
 SHELBY COUNTY JUDGE OF PROBATE
 002 CRH 70.00