

4908

(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

STEWART HOWARD DEAN
205 SUNRISE COURT
ALABASTER, AL 35007

Inst # 1999-41778

10/07/1999 - 41778
08:44 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
SHE 302 MS

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 FORTY NINE THOUSAND NINE HUNDRED and 00/100 (\$149,900.00) DOLLARS to the undersigned grantor, WIN HOMES, INC. 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 STEWART HOWARD DEAN and TREVA HODGES DEAN, 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 108, ACCORDING TO THE SURVEY OF STAGECOACH TRACE, SECTOR 1, AS RECORDED IN MAP BOOK 25, PAGE 24 A, B & C IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

SUBJECT TO:

1. TAXES FOR THE YEAR BEGINNING OCTOBER 1, 1999 WHICH CONSTITUTES A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 2000.
2. EASEMENTS AS SHOWN BY RECORDED PLAT, INCLUDING A 7.5 FOOT EASEMENT ON THE NORTHERLY SIDE OF LOT.
3. BUILDING SETBACK LINE AS SHOWN BY RESTRICTIVE COVENANTS RECORDED AS INST. #1999-4656.
4. RESTRICTIONS, COVENANTS AND CONDITIONS AS SET OUT IN INSTRUMENT(S) RECORDED IN INST. #1998-31624 AND INST. #1999-4656.
5. TRANSMISSION LINE PERMIT(S) TO ALABAMA POWER COMPANY AS SHOWN BY INSTRUMENT(S) RECORDED IN DEED 112 PAGE 458 AND DEED 123 PAGE 430 AND DEED 217 PAGE 752 IN PROBATE OFFICE.
6. RESTRICTIONS, LIMITATIONS AND CONDITIONS AS SET OUT IN MAP BOOK 25 PAGE 24 A, B, & C.
7. COVENANT RELEASING PREDECESSOR IN TITLE FROM ANY LIABILITY ARISING FROM SINKHOLES, LIMESTONE FORMATIONS, SOIL CONDITIONS OR ANY OTHER KNOWN OR UNKNOWN SURFACE OR SUBSURFACE CONDITIONS THAT MAY NOW OR HEREAFTER EXIST OR OCCUR OR CAUSE DAMAGE TO SUBJECT PROPERTY, AS SHOWN BY MAP BOOK 25 PAGE 24 A, B & C.
8. RELEASE(S) OF DAMAGES AS SET OUT IN INSTRUMENT(S) RECORDED IN INST. #1999-7369 IN PROBATE OFFICE.

9. EASEMENT(S) TO ALABAMA POWER COMPANY AS SHOWN BY INSTRUMENT
RECORDED IN INST. #1999-22219 IN PROBATE OFFICE.

\$108,900.00 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 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, WIN HOMES, INC., by its
VICE-PRESIDENT, BRETT G. WINFORD who is authorized to execute this conveyance, has
hereunto set its signature and seal, this the 4th day of October, 1999.

WIN HOMES, INC.

By:

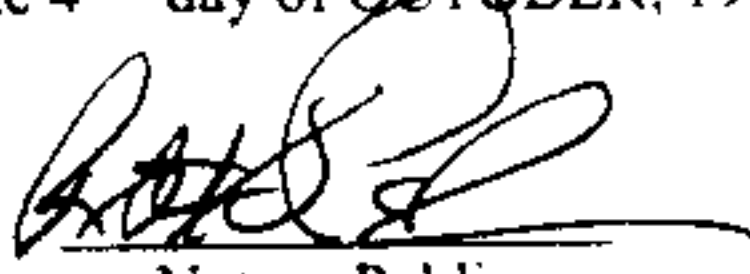

BRETT G. WINFORD, VICE-PRESIDENT

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that
BRETT G. WINFORD, whose name as VICE-PRESIDENT of WIN HOMES, 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 4TH day of OCTOBER, 1999.


Notary Public

My commission expires:

7/11/02

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08:44 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 MMS 52.00