

4971

(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

GREG C. WALES
5054 EAGLE CREST ROAD
BIRMINGHAM, AL 35242

Inst # 1999-49755

12/09/1999-49755
09:31 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
DOE CJ 11.00

STATE OF ALABAMA)

COUNTY OF SHELBY)

JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

WARRANTY DEED

Know All Men by These Presents: That in consideration of THREE HUNDRED FORTY THOUSAND FOUR HUNDRED DOLLARS and 00/100 (\$340,400.00) DOLLARS to the undersigned grantor, HARRIS BUILDERS, 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 GREG C. WALES and TAMMY L. WALES, HUSBAND AND WIFE and JOYCE C. SELAH, A SINGLE WOMAN (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 535, ACCORDING TO THE SURVEY OF EAGLE POINT, 5TH SECTOR, AS RECORDED IN MAP BOOK 18, PAGE 138, 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. 25 FOOT BUILDING LINE AS SHOWN BY RECORDED MAP.
3. RESTRICTIONS AS SHOWN BY RECORDED MAP.
4. NOTE: MAP BOOK 18, PAGE 138 SHOWS THE FOLLOWING RESERVATION: SINK HOLE PRONE AREAS-THE SUBDIVISION SHOWN HEREON INCLUDING LOTS AND STREETS, LIES IN AN AREA WHERE NATURAL LIME SINKS MAY OCCUR. SHELBY COUNTY, THE SHELBY COUNTY ENGINEER, THE SHELBY COUNTY PLANNING COMMISSIONER AND THE INDIVIDUAL MEMBERS THEREOF AND ALL OTHER AGENTS, SERVANTS OR EMPLOYEES OF SHELBY COUNTY, ALABAMA, MAKE NO REPRESENTATIONS THAT THE SUBDIVISION LOTS AND STREET ARE SAFE OR SUITABLE FOR RESIDENTIAL CONSTRUCTION, OR FOR ANY OTHER PURPOSE WHATSOEVER. "AREA UNDERLAIN BY LIMESTONE AND THUS MAY BE SUBJECT TO LIME SINK ACTIVITY".
5. RESTRICTIONS OR COVENANTS RECORDED IN INSTRUMENT #1994-26089, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
6. RIGHT OF WAY GRANTED TO ALABAMA POWER COMPANY BY INSTRUMENT RECORDED IN INSTRUMENT 1995-12811, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

7. RIGHT OF WAY TO SHELBY COUNTY, RECORDED IN REAL 278, PAGE 893, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
8. MINERAL AND MINING RIGHTS AND RIGHTS INCIDENT THERETO RECORDED IN INSTRUMENT #1994-34798, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
9. BY-LAWS OF EAGLE POINT HOMEOWNERS' ASSOCIATION, INC. AS RECORDED IN INSTRUMENT #1996-33773 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

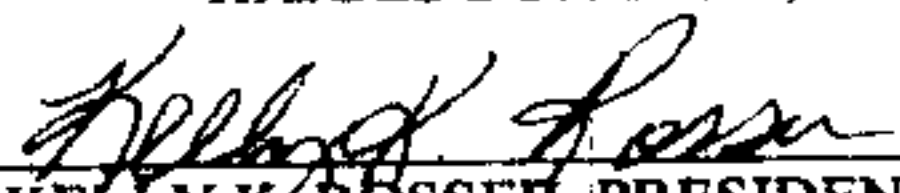
\$393,890.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

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, HARRIS BUILDERS, INC., by its PRESIDENT, KELLY K. ROSSER who is authorized to execute this conveyance, has hereunto set its signature and seal, this the 19th day of November, 1999.

HARRIS BUILDERS, INC.

By: 
KELLY K. ROSSER, 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 KELLY K. ROSSER, whose name as PRESIDENT of HARRIS BUILDERS, 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 19TH day of NOVEMBER, 1999.


Notary Public

My commission expires: 9 29 02

Inst # 1999-49755

12/09/1999-49755
09:31 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 CJI 11.00