

(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

JAMES K. COLE
213 HIDDEN CREEK
PELHAM, AL 35124

Inst # 2000-27005
08/09/2000-27005
09:21 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 HWS 16.50

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 SEVEN THOUSAND NINE HUNDRED and 00/100 (\$107,900.00) DOLLARS to the undersigned grantor, JOE ROSE HOMEBUILDERS, 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 JAMES K. COLE and REBECCA B. COLE, 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 214, ACCORDING TO THE SURVEY OF PHASE TWO HIDDEN CREEK III AS RECORDED IN MAP BOOK 26 PAGE 124 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

SUBJECT TO:

1. TAXES FOR THE YEAR 1999 WHICH CONSTITUTE A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 2000.
2. 15-FOOT BUILDING SETBACK LINE FROM HIDDEN CREEK PARKWAY AND R-FOOT EASEMENT ON REAR OF SAID LOT AS SHOWN ON RECORDED MAP OF SAID SUBDIVISION.
3. TERMS, PROVISION, COVENANTS, CONDITIONS, RESTRICTIONS, EASEMENTS, CHARGES, ASSESSMENTS AND LIENS (PROVISIONS, IF ANY, BASED ON RACE, COLOR, RELIGION, OR NATIONAL ORIGIN ARE OMITTED) PROVIDED IN THE COVENANTS, CONDITIONS AND RESTRICTIONS RECORDED IN INSTRUMENT #1998-03074, AMENDED IN INSTRUMENT #1998-03075; INSTRUMENT #1998-03077, AMENDED IN INSTRUMENT #1998-23229 AND INSTRUMENT #1999-1568.
4. EASEMENT TO PLANTATION PIPE LINE AS RECORDED IN DEED BOOK 306, PAGE 416; DEED BOOK 252, PAGE 603 AND DEED BOOK 229, PAGE 335.
5. RIGHT OF WAY TO ALABAMA POWER COMPANY AS RECORDED IN DEED BOOK 127, PAGE 375.
6. RIGHT OF WAY EASEMENT AND AGREEMENT WITH LEVEL 3 CORP. AS RECORDED IN INSTRUMENT #2000-3182 AND INSTRUMENT #2000-5902.

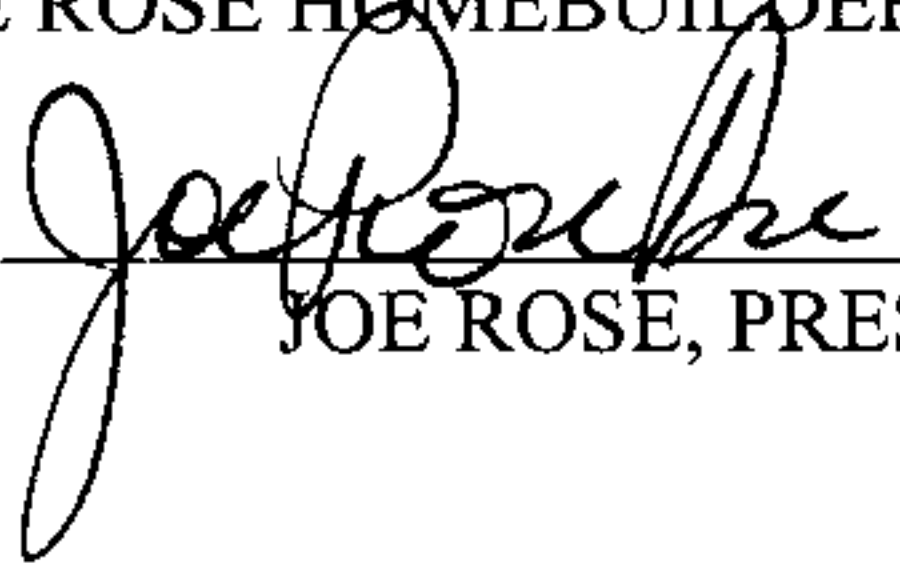
\$102,505.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

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, 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 28th day of July, 2000.

JOE ROSE HOMEBUILDERS, INC.

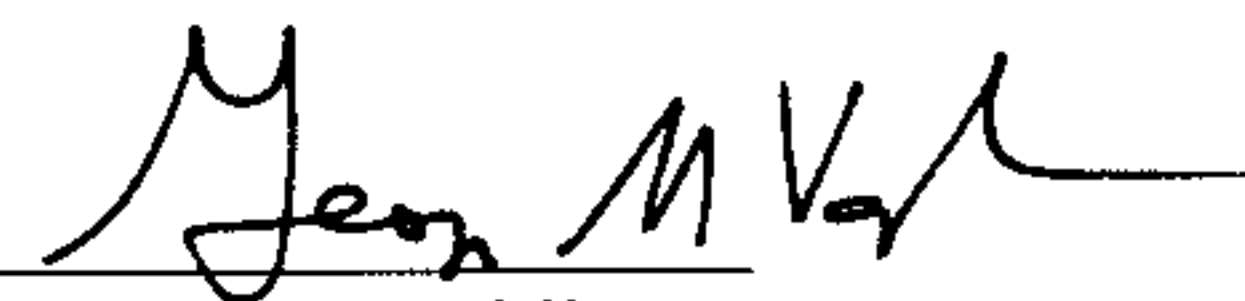
By: 
JOE ROSE, PRESIDENT

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that 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 28th day of July, 2000.


Notary Public

My commission expires: 9.29.00

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