

5994

(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

DANA J. UPTAIN  
207 ROCKY RIDGE DRIVE  
HELENA, AL 35080

Inst # 2001-25536

06/21/2001-25536  
08:38 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
902 CJ1 19.00

STATE OF ALABAMA)

COUNTY OF SHELBY)

### WARRANTY DEED

**Know All Men by These Presents:** That in consideration of EIGHTY FIVE THOUSAND NINE HUNDRED and 00/100 (\$85,900.00) 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 DANA J. UPTAIN, AN UNMARRIED PERSON, (herein referred to as GRANTEES, whether one or more) the following described real estate, situated in SHELBY County, Alabama, to-wit:

LOT 10, ACCORDING TO ROCKY RIDGE, PHASE 2, AS RECORDED IN MAP BOOK 27, PAGE 16, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

SUBJECT TO:

1. TAXES FOR THE YEAR 2001 WHICH CONSTITUTE A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 2, 2001.
2. BUILDING SET BACK LINE OF 20 FEET RESERVED FROM ROCKY RIDGE DRIVE, AND NORTHERLY SIDE OF LOT AS SHOWN BY PLAT.
3. EASEMENTS AS SHOWN BY RECORDED PLAT, INCLUDING 20 FEET ON THE NORTHERLY SIDE OF LOT.
4. RESTRICTIONS COVENANTS AND CONDITIONS AS SET OUT IN INSTRUMENT(S) RECORDED IN INST. #2000-40214 IN PROBATE OFFICE.
5. TRANSMISSION LINE PERMIT(S) TO ALABAMA POWER COMPANY AS SHOWN BY INSTRUMENT(S) RECORDED IN DEED BOOK 130 PAGE 173 IN PROBATE OFFICE.
6. RIGHTS OF OWNERS OF PROPERTY ADJOINING PROPERTY IN AND TO THE JOINT OR COMMON RIGHTS IN BUILDING SITUATED ON SAID LOTS, SUCH RIGHTS INCLUDE BUT ARE NOT LIMITED TO ROOF, FOUNDATION, PARTY WALLS, WALKWAY AND ENTRANCE.
7. SUBJECT TO 20 FOOT RIGHT O WAY FOR INGRESS AND EGRESS GRANTED TO MAY ALICE BLACKMON DATED 3-29-96 BY INST. #1996-1116 IN PROBATE OFFICE.

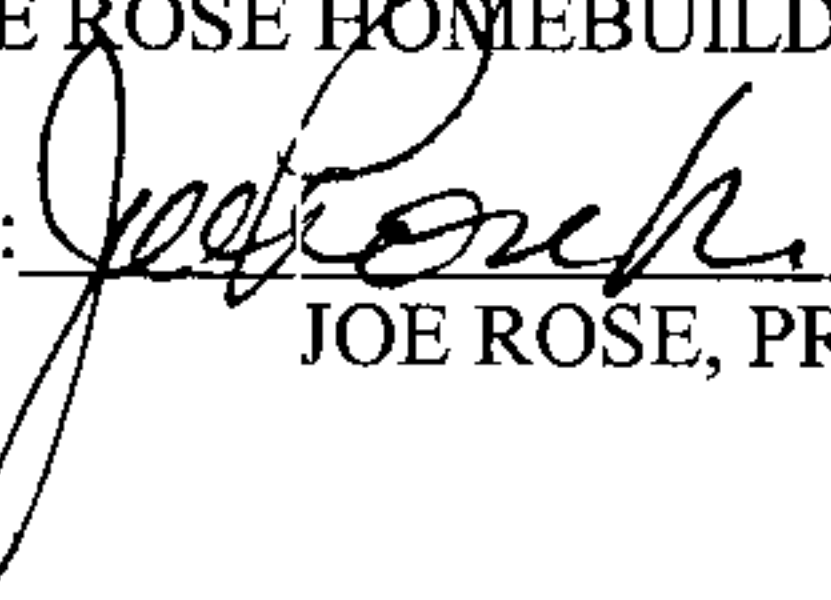
\$80,900.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

**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., AN ALABAMA CORPORATION, by its PRESIDENT, JOE ROSE who is authorized to execute this conveyance, has hereunto set its signature and seal, this the 31st day of May, 2001.

JOE ROSE HOMEBUILDERS, INC.

By:   
JOE ROSE, PRESIDENT

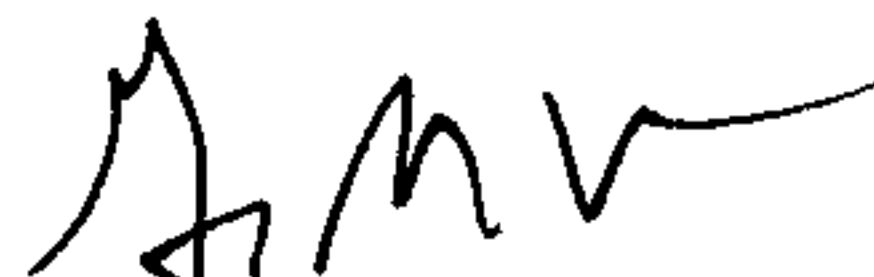
STATE OF ALABAMA)

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 31st day of May, 2001.

  
\_\_\_\_\_  
Notary Public

My commission expires: 9.29.01

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