

(RECORDING INFORMATION ONLY ABOVE THIS LINE)  
This Instrument was prepared by:

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SEND TAX NOTICE TO:  
  
DUSTAN R. GASS  
825 MERIWEATHER DRIVE  
CALERA, AL 35040

Inst # 2001-35004

08/17/2001-35004  
08:38 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
GGE CH 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 NINETY SEVEN THOUSAND FIVE HUNDRED and 00/100 (\$97,500.00) DOLLARS to the undersigned grantor, CARTER 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 DUSTAN R. GASS and LINDSAY D. GASS, 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 41, ACCORDING TO THE SURVEY OF MERIWEATHER, SECTOR 3, AS RECORDED IN MAP BOOK 26, PAGE 103, IN THE OFFICE OF THE JUDGE OF PROBATE, SHELBY COUNTY, ALABAMA.

**SUBJECT TO:**

1. TAXES FOR THE YEAR BEGINNING OCTOBER 1, 2000 WHICH CONSTITUTES A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 2001.
2. BUILDING SETBACK LINE OF 20 FEET RESERVED FROM MERIWEATHER DRIVE 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. #1998-41355; INST. #1998-44892; AND INST. #2001-9965 IN PROBATE OFFICE.
5. TRANSMISSION LINE PERMIT(S) TO ALABAMA POWER COMPANY AS SHOWN BY INSTRUMENT(S) RECORDED IN DEED BOOK 148 PAGE 284 IN PROBATE OFFICE.
6. EASEMENT(S) TO CITY OF CALERA AS SHOWN BY INSTRUMENT RECORDED IN REAL 349 PAGE 429 IN PROBATE OFFICE.
7. 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 INST. #2000-35396 IN PROBATE OFFICE.


8. RESTRICTIONS, LIMITATIONS AND CONDITIONS AS SET OUT IN MAP BOOK 26, PAGE 103.

\$95,410.00 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, CARTER HOMEBUILDERS, INC., by its PRESIDENT, KERRY CARTER who is authorized to execute this conveyance, has hereunto set its signature and seal, this the 10th day of August, 2001.

CARTER HOMEBUILDERS, INC.  
By:   
KERRY CARTER, 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 KERRY CARTER, whose name as PRESIDENT of CARTER 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 10th day of August, 2001.

  
Notary Public

My commission expires: 7/11/02

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