

(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

BILLY J. MCCLAIN
 136 SUGAR HILL LANE
 ALABASTER, AL. 35007

Inst # 2002-13036
 03/19/2002-13036
 01:36 PM CERTIFIED
 SHELBY COUNTY JUDGE OF PROBATE
 002 CH 24.50

STATE OF ALABAMA)

COUNTY OF SHELBY)

WARRANTY DEED

Know All Men by These Presents: That in consideration of ONE HUNDRED ONE THOUSAND FIVE HUNDRED FIFTY and 00/100 (\$101,550.00) to the undersigned grantor, JOE ROSE HOMEBUILDER'S, 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 BILLY J. MCCLAIN, AN UNMARRIED PERSON, (herein referred to as GRANTEES, whether one or more) the following described real estate, situated in SHELBY County, Alabama, to-wit:

LOTS 37 AND 38, ACCORDING TO THE SURVEY OF SUGAR HILL TOWNHOMES, AS RECORDED IN MAP BOOK 28, PAGE 115, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

SUBJECT TO:

1. TAXES FOR THE YEAR BEGINNING OCTOBER 1, 2001 WHICH CONSTITUTES A LIEN BUT NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 2002.
2. BUILDING SETBACK LINE AND EASEMENT(S) AS SHOWN BY MAP BOOK 28 PAGE 115.
3. TRANSMISSION LINE PERMIT(S) TO ALABAMA POWER COMPANY AS SHOWN BY INSTRUMENT(S) RECORDED IN DEED 141 PAGE 508 IN THE PROBATE OFFICE.
4. DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR SUGAR HILL TOWNHOMES AS RECORDED IN INSTRUMENT NO 2002-13034 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
5. RIGHT(S) OF WAY(S) GRANTED TO SOUTH CENTRAL BELL BY INSTRUMENT(S) RECORDED IN REAL 50 PAGE 795 IN THE PROBATE OFFICE.
6. 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 INSTRUMENT RECORDED IN INST. NO. 2001-34997 AND MAP BOOK 28, PAGE 115 IN THE PROBATE OFFICE; THE POLICY WILL INSURE THAT ANY VIOLATION OF THIS COVENANT WILL NOT RESULT IN A FORFEITURE OR REVERSION OF TITLE.

7. RESTRICTIONS, LIMITATIONS AND CONDITIONS AS SET OUT IN MAP BOOK 28 PAGE 115 IN THE PROBATE OFFICE.

8. RIGHTS OF OWNERS OF PROPERTY ADJOINING PROPERTY IN AND TOT HE 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.

\$91,350.00 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 HOMEBUILDER'S, INC., by its PRESIDENT, JOE ROSE who is authorized to execute this conveyance, has hereunto set its signature and seal, this the 1st day of March, 2002.

JOE ROSE HOMEBUILDER'S, 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 HOMEBUILDER'S, 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 1st day of March, 2002.


Notary Public

My commission expires: 9.29.02

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