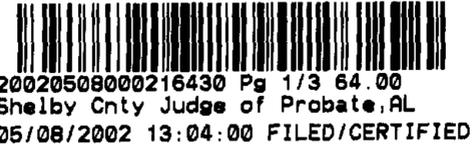


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(RECORDING INFORMATION ONLY ABOVE THIS LINE)

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

WALTER E. TURNER  
540 GRANDE VIEW ESTATES  
ALABASTER, AL. 35007

STATE OF ALABAMA)

COUNTY OF SHELBY)

**JOINT TENANTS WITH RIGHT OF SURVIVORSHIP**

**WARRANTY DEED**

**Know All Men by These Presents:** That in consideration of TWO HUNDRED FORTY NINE THOUSAND FIVE HUNDRED and 00/100 (\$249,500.00) to the undersigned grantor ,JOE ROSE HOMEBUILDER'S 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 WALTER E. TURNER and OTHENIA H. TURNER, 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 963, ACCORDING TO THE SURVEY OF GRANDE VIEW ESTATES, GIVIANPOUR ADDITION TO ALABASTER, 9<sup>TH</sup> ADDITION, PHASE 2, AS RECORDED IN MAP BOOK 27, PAGE 85, 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. 30 FOOT BUILDING LINE, AS SHOWN BY RECORDED MAP.
3. 15 FOOT EASEMENT ON REAR, AS SHOWN BY RECORDED MAP.
4. RESTRICTIONS AS SHOWN BY RECORDED MAP.
5. RESTRICTIONS APPEARING OF RECORD IN INSTRUMENT 2001/1048, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
6. DECLARATION OF PROTECTIVE COVENANTS AS RECORDED IN 1995-5892, 1<sup>ST</sup> AMENDMENT RECORDED IN INSTRUMENT 1995-28543, SUPPLEMENTARY DECLARATION OF PROTECTIVE COVENANTS RECORDED IN INSTRUMENT 1995-28544, SUPPLEMENTARY DECLARATION OF PROTECTIVE COVENANTS RECORDED 1996-0339, SUPPLEMENTARY DECLARATION OF PROTECTIVE COVENANTS RECORDED IN INSTRUMENT 1996-29192, AMENDED BY INSTRUMENT 1996-37928 AND SUPPLEMENTARY DECLARATION OF PROTECTIVE COVENANTS RECORDED IN INSTRUMENT 1996-37929, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
7. ARTICLES OF INCORPORATION OF GRANDE VIEW HOMEOWNERS ASSOCIATION, RECORDED IN INSTRUMENT 1995-5890 AND BY-LAWS RECORDED IN INSTRUMENT 1995-5891, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

8. RESTRICTIONS, RESERVATIONS, LIMITATIONS AND RELEASE OF DAMAGES RECORDED IN INSTRUMENT 2001/44489, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA, BUT OMITTING ANY COVENANT OR RESTRICTION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN.
9. RIGHTS, EASEMENTS, RESTRICTIONS OR COVENANTS GRANTED TO ALABAMA POWER COMPANY AS REFERRED TO IN THAT CERTAIN DEED RECORDED IN INSTRUMENT 1994-26505 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
10. RIGHTS, EASEMENTS, RESTRICTIONS OR COVENANTS GRANTED TO THE CITY OF ALABASTER AS REFERRED TO IN THAT CERTAIN DEED RECORDED IN INSTRUMENT 1994-26505 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
11. RIGHTS, EASEMENT, RESTRICTIONS OR COVENANTS GRANTED TO FRANCIS M. RANDALL AND HARRIETT RANDALL AS REFERRED TO IN THAT CERTAIN DEED RECORDED IN INSTRUMENT 1994-26505 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
12. DECREE OF CONDEMNATION CASE NO. 28-197, ALABAMA WATER AND GAS VS. KIMBERLY-CLARK CORPORATION AS REFERRED TO IN THAT CERTAIN DEED RECORDED IN INSTRUMENT 1994-26505 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

\$199,600.00 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 HOMEBUILDER'S INC., by its PRESIDENT, JOE ROSE who is authorized to execute this conveyance, has hereunto set its signature and seal, this the 22nd day of April, 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 22nd day of April, 2002.



Notary Public

My commission expires: 10.2.05