

10109
CD

(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

DOMINICK A. RACO, JR.
218 QUAIL RIDGE ROAD
HELENA, AL 35080

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 EIGHTY NINE THOUSAND ONE HUNDRED FIFTY DOLLARS and 00/100 (\$189,150.00) to the undersigned grantor, CRESCENT CITY HOMES, 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 DOMINICK A. RACO, JR. and KIMBERLY A. RACO, 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 11, ACCORDING TO THE MAP OF QUAIL RIDGE SUBDIVISION, AS RECORDED IN MAP BOOK 22, PAGE 35, IN THE OFFICE OF THE JUDGE OF PROBATE, SHELBY COUNTY, ALABAMA.

SUBJECT TO:

1. TAXES FOR THE YEAR BEGINNING OCTOBER 1, 2003 WHICH CONSTITUTES A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 2004.
2. 40 FOOT BUILDING SET BACK LINE FROM QUAIL RIDGE ROAD AND REAR SIDE OF SAID LOT AS SHOWN ON RECORDED MAP.
3. 7.5 FOOT DRAINAGE EASEMENT ACROSS THE EASTERNMOST SIDE OF SAID LOT AND 7.5 FOOT EASEMENT ACROSS THE SOUTHWESTERLY SIDE OF SAID LOT AS SHOWN ON RECORDED MAP OF SAID SUBDIVISION.
4. RESTRICTIONS AS RECORDED IN INST. #1997-5314 AND INST. #1997-19418.
5. TITLE TO MINERALS UNDERLYING CAPTION LANDS WITH MINING RIGHTS AND PRIVILEGES BELONGING THERETO.
6. RELEASE OF DAMAGES AND COVENANT TO RUN WITH LAND AS SHOWN IN DEED RECORDED IN INST. #2002-45179.

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, CRESCENT CITY HOMES, INC., by its PRESIDENT, SEAN DASSAU who is authorized to execute this conveyance, has hereunto set its signature and seal, this the 3rd day of November, 2003.

CRESCENT CITY HOMES, INC.

By: Sean Dassau
SEAN DASSAU, 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 SEAN DASSAU, whose name as PRESIDENT of CRESCENT CITY HOMES, 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 3rd day of November, 2003.

[Signature]
Notary Public

My commission expires: 10.2.05