

20041004000545110 Pg 1/2 189.00
 Shelby Cnty Judge of Probate, AL
 10/04/2004 08:25:00 FILED/CERTIFIED

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was
 prepared by:

R. Shan Paden
 PADEN & PADEN
 Attorneys at Law
 5 Riverchase Ridge, Suite 100
 Birmingham, Alabama 35244

STATE OF ALABAMA)

COUNTY OF SHELBY)

SEND TAX NOTICE TO:

FRANCES DEMARCO
 8224 WYNWOOD DRIVE
 HELENA, ALABAMA 35080

WARRANTY DEED

Know All Men by These Presents: That in consideration of ONE HUNDRED SEVENTY FIVE THOUSAND DOLLARS and 00/100 (\$175,000.00) to the undersigned grantor or grantors in hand paid by the GRANTEEES herein, the receipt of which is acknowledged, we, **MARGARET W. EMERSON, AN UNMARRIED WOMAN AS SURVIVING GRANTEE OF THAT DEED RECORDED IN INSTRUMENT #1998-39351, DOULGAS L. EMERSON HAVING DIED ON OR ABOUT JULY 24, 2000** (herein referred to as GRANTORS) do grant, bargain, sell and convey unto FRANCES DEMARCO, (herein referred to as GRANTEEES, whether one or more) the following described real estate, situated in SHELBY County, Alabama, to-wit:

Lot 308, according to the Survey of Wyndham, Wynwood Sector Resurvey, as recorded in Map Book 23, Page 37, in the Probate Office of SHELBY County, ALABAMA.

SUBJECT TO:

1. TAXES FOR THE YEAR BEGINNING OCTOBER 1, 2003 WHICH CONSTITUTE A LIEN BUT ARE NOT DUE AND PAYABLE UNTIL OCTOBER 1, 2004.
2. ANY, LIEN, OR RIGHT TO A LIEN, FOR SERVICES, LABOR, OR MATERIAL HERETO OR HEREAFTER FURNISHED, IMPOSED BY LAW AND NOT SHOWN BY THE PUBLIC RECORDS.
3. RESTRICTIONS, PUBLIC UTILITY EASEMENTS, AND SETBACK LINES AS SHOWN ON RECORDED MAP OF SAID SUBDIVISION.
4. OIL, GAS, AND MINERALS AND ALL OTHER SUBSURFACE INTERESTS IN, TO OR UNDER THE LAND HEREIN DESCRIBED.
5. RESTRICTIONS, LIMITATIONS AND CONDITIONS AS RECORDED IN MAP BOOK 23, PAGE 37.
6. RESTRICTIONS, COVENANTS AND CONDITIONS AS SET FORTH IN INSTRUMENT #1997-34376 AND INSTRUMENT #1998-47088.
7. EASEMENT TO TOWN OF HELENA AS RECORDED IN DEED BOOK 305, PAGE 394; DEED BOOK 305, PAGE 396; DEED BOOK 305, PAGE 398; DEED BOOK 105, PAGE 44 AND DEED BOOK 305, PAGE 402.

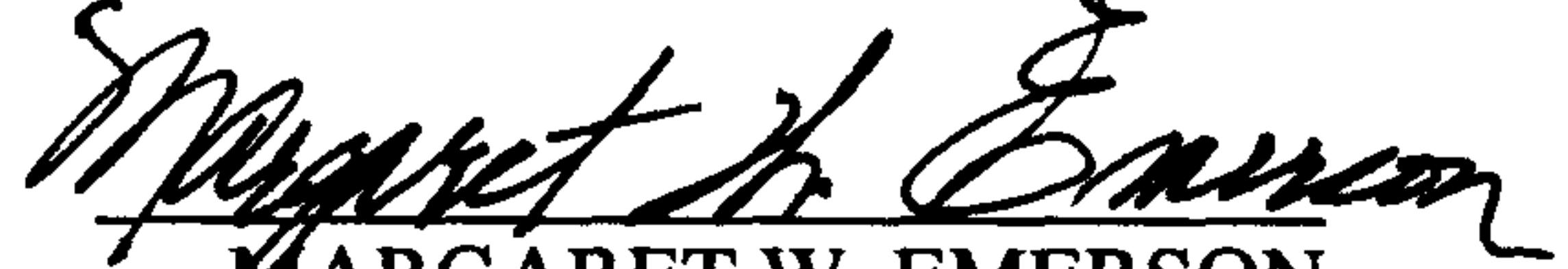
8. EASEMENT TO PUBLIC FOR DRIVING PURPOSES AS SHOWN RECORDED IN DEED BOOK 311, PAGE 153.
9. IRREVOCABLE RIGHT OF INGRESS AND EGRESS BETWEEN KIRBY FOSTER, PHILLIP G. HAYDEN, DAN COLLIER, GILDA R. SHIRLEY AND BETTY R. SHIRLEY AS RECORDED IN REAL 192, PAGE 743 ALONG WITH SUBORDINATION ESTOPPEL AGREEMENTS AS RECORDED IN REAL 250, PAGE 892 AND 894 AND REAL 251, PAGE 602.
10. RESERVATION OF MINERAL AND MINING RIGHTS IN THE INSTRUMENT RECORDED IN DEED BOOK 326, PAGE 172 AND DEED BOOK 236, PAGE 162, TOGETHER WITH THE APPURTENANT RIGHTS TO USE THE SURFACE. THE COMPANY MAKES NO REPRESENTATION AS TO THE PRESENT OWNERSHIP OF THIS INTEREST.
11. PERMITS TO PLANTATION PIPELINE IN DEED BOOK 180, PAGE 192; DEED 180, PAGE 423; DEED BOOK 258, PAGE 47 AND DEED BOOK 258, PAGE 49.

\$.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

TO HAVE AND TO HOLD Unto the said GRANTEE(S), his, her or their heirs and assigns, forever.

And I (we) do for myself (ourselves) and for my (our) heirs, executors, and administrators covenant with the said GRANTEE(S), his, her, or their heirs and assigns, that I am (we are) lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that I (we) have a good right to sell and convey the same as aforesaid; that I (we) will and my (our) heirs, executors and administrators shall warrant and defend the same to the said GRANTEE(S), his, her, or their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said GRANTORS, MARGARET W. EMERSON, AN UNMARRIED WOMAN, have hereunto set his, her or their signature(s) and seal(s), this the 13th day of September, 2004.



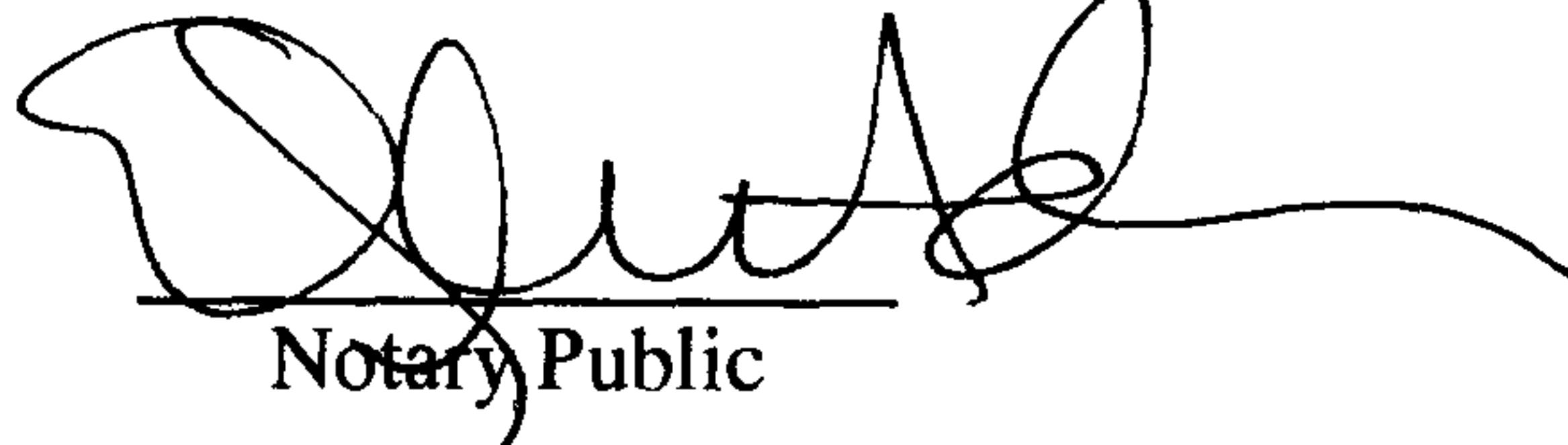
MARGARET W. EMERSON

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that MARGARET W. EMERSON, whose name(s) is (are) signed to the foregoing conveyance, and who is (are) known to me, acknowledged before me on this day that, being informed of the contents of the conveyance he, she, or they executed the same voluntarily on the day the same bears date.

Given under my hand this the 13th day of September, 2004.



Notary Public

My commission expires: 10-205