


Send Tax Notice To:  
Kristy M. Rastelli  
Anthony M. Rastelli  
229 Silver Creek Parkway  
Alabaster, Alabama 35007  
Our File No. 04-393

Prepared By:  
James R. Moncus, Jr.  
1313 Alford Avenue  
Birmingham, Alabama 35226

  
20041129000650530 Pg 1/2 15.00  
Shelby Cnty Judge of Probate, AL  
11/29/2004 12:59:00 FILED/CERTIFIED

### **SPECIAL WARRANTY DEED**

STATE OF ALABAMA  
JEFFERSON COUNTY

Know all men by these presents, this deed made this the 2nd day of November, 2004, by and between Ohio Savings Bank, a Federal Savings Bank (herein referred to as Grantor) and Kristy M. Rastelli and Anthony M. Rastelli, Wife and Husband, as joint tenants with right of survivorship (hereinafter referred to as Grantee);

#### **WITNESSETH THAT:**

The Grantor does hereby for and in consideration of One Hundred Thirty One Thousand and No/100 Dollars (\$131,000.00) and other good and valuable consideration, in hand paid by the Grantee, the receipt of which is hereby acknowledged, does by these presents, grant, bargain, sell and convey unto the Grantee, the following described real estate in **SHELBY** County, Alabama, to-wit:

**Lot 9, according to the Survey of Silver Creek Sector 1, as recorded in Map Book 26, page 144, in the Probate Office of Shelby County, Alabama.**

#### **SUBJECT TO:**

1. Ad valorem taxes due and payable October 1, 2005.
2. All restrictions, easements, Rights of parties in possession, encroachments, liens for services, labor, or materials, taxes or special assessments, building lines.
3. Easements, Encroachments, rights of ways, building set back lines, as shown on recorded plat.
4. Mineral and mining rights not owned by the Grantor herein described.

**All rights of redemption arising from that certain foreclosure deed recorded in Instrument No. 20040713000387790. Said rights to expire June 28, 2005.**

**(\$104,800.00 and \$26,200.00 of the purchase price was paid from a first and second mortgage loan closed simultaneously with delivery of this deed.)**

To have and to hold unto the said Grantees, as joint tenants, with right of survivorship their heirs and assigns, forever.

And the Grantor does hereby covenant with Grantees, except as above noted that, at the time of delivery of this Deed, the premises were free from all encumbrances made by them and that they shall warrant and defend the same against the lawful claims and demands of all persons claiming, by, through and under them as Grantor herein abut not otherwise.

IN WITNESS WHEREOF, the Grantor, by Michael Headen, its Assistant Vice Pres of Ohio Savings Bank, a Federal Savings Bank, who is authorized to execute this conveyance, has hereunto set its signature and seal, this the 2 day of November, 2004.

OHIO SAVINGS BANK

BY: M. Headen

By: OHIO SAVINGS BANK  
Its: MICHAEL HEADEN  
ASST. V.P.

State of Ohio  
Cuyahoga County

I, the undersigned, a notary public in and for said County, in said State, hereby certify that Michael Headen, whose name as Assistant Vice President of Ohio Savings Bank, a Federal Savings Bank, is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, \_\_\_\_\_, as such officer, and with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 2 day of November, 2004.

Joanne Flors  
Notary Public JOANNE FLORS  
Notary Public, State of Ohio, Cuy. Cty.  
My Commission Expires Apr. 13, 2008  
My Commission Expires: \_\_\_\_\_

{Notarial Seal}