

SEND TAX NOTICE TO:

Name: Steven D./Deborah S. Foshee
Address: 444 Mountain View Drive
Wilsonville, AL 35186

✓ THIS INSTRUMENT WAS PREPARED BY
WALLACE, ELLIS, FOWLER & HEAD
P.O. Box 587
Columbiana, Alabama 35040


20050204000057580 Pg 1/2 15.00
Shelby Cnty Judge of Probate, AL
02/04/2005 11:03:00 FILED/CERTIFIED

WARRANTY DEED, JOINT WITH RIGHT OF SURVIVORSHIP

**STATE OF ALABAMA
SHELBY COUNTY**

KNOW ALL MEN BY THESE PRESENTS,

That in consideration of **ONE HUNDRED FOUR THOUSAND NINE HUNDRED AND NO/100 (\$104,900.00) DOLLARS** to the undersigned grantor, in hand paid by the grantees herein, the receipt whereof is hereby acknowledged, I, **Paula W. Braden, as Executrix and Personal Representative of the Estate of Jane Witman Nagle Weaver, deceased, Probate Court of Shelby County, Alabama, Case No. PR-2003-000642**, (herein referred to as grantor) does grant, bargain, sell and convey unto **Steven D. Foshee and Deborah S. Foshee**, (herein referred to as grantees) as joint tenants, with right of survivorship, the following described real estate situated in Shelby County, Alabama, to-wit:

Lots 34 and 36, in Block B, according to the map of Riverview Subdivision, as recorded in Map Book 4, Page 63, in the Office of the Judge of Probate of Shelby County, Alabama. Situated in Shelby County, Alabama.

SUBJECT TO THE FOLLOWING:

- a) Taxes for 2005 and subsequent years. 2005 ad valorem taxes are a lien, but not due and payable until October 1, 2005.
- b) Any loss, claim, damage, or expense including additional tax due, if any, arising from or due to the fact that ad valorem taxes for subject property have been paid under a current use assessment.
- c) Transmission line permits to Alabama Power Company as recorded in Deed Book 138, Page 88; Deed Book 133, Page 253; Deed Book 221, Page 667; and Deed Book 215, Page 669, in Probate Office.
- d) Restrictive covenants as recorded in Deed Book 215, Page 662, and amended restrictions recorded in Misc. Book 19, Page 404, in Probate Office.
- e) Rights of Alabama Power Company in and to the distribution line as shown and located on plat of said subdivision recorded in Map Book 4, Page 63 in said Probate Office.
- f) Easement to Southern Bell Telephone Company recorded in Deed Book 253, Page 819, in Probate Office.
- g) Title to minerals underlying caption lands with mining rights and privileges belonging thereto as reserved in Real Record 194, Page 746, in Probate Office.
- h) 25 foot building set back line from Crest Drive and County Road (as to lot 36) and 25 foot building set back line from Crest Drive (as to lot 34) as shown on recorded map.

\$83,920.00 of the above consideration was paid by way of a purchase money first mortgage executed simultaneously herewith.

\$20,980.00 of the above consideration was paid by way of a purchase money second mortgage executed simultaneously herewith.

This deed is executed as a deed of correction to correct the spelling of Grantee's name from 'Stephen' to 'Steven'.

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 I do for myself and for my heirs, executors, and administrators covenant with the said grantees, their heirs and assigns, that I am lawfully seized in fee simple of said premises; that subject property is free from all encumbrances, unless otherwise noted above; that I have a good right to sell and convey the same as aforesaid; that I will and my heirs, executors and administrators shall warrant and defend the same to the said grantees, their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, I, have hereunto set my hand and seal this 21st day of January, 2005.

Paula W. Braden (SEAL)
Paula W. Braden, Executrix and Personal
Representative of the Estate of Jane Witman
Nagle Weaver, deceased, Probate Court of
Shelby County, Alabama, Case No.
PR-2003-000642

**STATE OF ALABAMA
SHELBY COUNTY**

I, the undersigned authority, a Notary Public, in and for said County, in said State, hereby certify that Paula W. Braden, whose name as Executrix of the Estate of Jane Witman Nagle Weaver, deceased, 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, she, in her capacity as such Executrix and Personal Representative, executed the same voluntarily with full authority on the day the same bears date.

Given under my hand and official seal this 21st day of January, 2005.

Jamie E. Culver
Notary Public

My Commission Expires: 1-4-09