20050404000153690 1/2 $15.00
Shelby Cnty Judge of Probate,AL
04/04/2005 02:11:07PM FILED/CERT

This instrument was prepared by:
HARRY W. GAMBLE
4290 Hwy 52, Suite G
Helena, Alabama 35080

Send tax notice to:
160 Indian Gate Circle
Birmingham, Alabama 35242

STATE OF ALABAMA
COUNTY OF SHELBY

WARRANTY DEED

Know All Men by These Presents: That in consideration of **THREE HUNDRED NINTY FOUR THOUSAND NINE HUNDRED AND NO/100 DOLLARS ($394,900.00)** to the undersigned grantor (whether one or more), in hand paid by the grantee herein, the receipt where is acknowledged, I or we, **CARTER HOMEBUILDERS, INC.** (herein referred to as grantor, whether one or more), grant, bargain, sell and convey unto **JAMES R. COCO AND TERESA J. COCO** (herein referred to as grantees, whether one or more), the following described real estate, situated in Shelby County, Alabama, to-wit:

Lot 13, according to the Survey of Amended Map of Indian Gate, as recorded in Map Book 33, Page 64, in the Probate Office of Shelby County, Alabama.

Subject to:

1) Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed insured acquires for value of record the estate or interest or mortgage thereon covered by this Commitment.
2) Any owner's policy issued pursuant hereto will contain under Schedule B the standard exceptions set forth on the inside cover. Any loan policy will also contain under Schedule B thereof, the standard exception set forth on the inside cover of this commitment relation to the owner's policy.
3) Standard Exceptions 2 and 3 may be removed from the policy when a satisfactory survey and inspection of the premises is made.
4) Taxes and assessments for the year 2005, and subsequent years, which are not yet due and payable. Tax information has been based on the present assessment roles, but is subject to any future adjustments that may be made by either the Tax Assessor or the Board of Equalization of Shelby County, Alabama.
5) Building line(s), as shown by recorded map.
6) Restrictions or Covenants recorded in Instrument 20031022000707960 and Instrument 20031022000707940, in the Probate Office of Shelby County, Alabama.
7) Material Option from V.H. Huey to State of Alabama recorded in Deed Book 176, page 26 and Deed Book 202, page 229, in the Probate Office of Shelby County, Alabama.
8) Easement for Alabama Power Company recorded in Deed Book 186, page 194, in the Probate Office of Shelby County, Alabama.
9) Right of way to Shelby County, recorded in Deed Book 216, page 9, in the Probate Office of Shelby County, Alabama.
10) Permit to Alabama Power Company recorded in Deed Book 232, Page 389, in the Probate Office of Shelby County, Alabama.
11) Mineral and mining rights and rights incident thereto recorded in Deed Book 42, page 246, in the Probate Office of Shelby County, Alabama.
12) Rights to others to use of 60' right of way along southeast boundary, in the Probate Office of Shelby County, Alabama.
13) Easement for access recorded in Instrument 2002-6237 and Instrument 2002-6238, in the Probate Office of Shelby County, Alabama.

$394,900.00 of the purchase price recited above was paid from mortgage loan closed simultaneously herewith.

To Have And To Hold to the said grantees, his her or their heirs and assigns forever.

The grantor covenants and agrees with the grantees that it is seized of an indefeasible estate in fee simple of said property, and that the grantor has the lawful right to sell and convey the same in fee simple; that the grantor is executing this Deed in accordance with the Articles of Organization and Operating Agreement of Carter Homebuilders, Inc., which have not been modified or amended; that the property is free from encumbrances, and that the grantor will forever warrant and defend that title to the same and that the possession thereof unto the grantees, his, her or their heirs and assigns, against the lawful claims and demands of all persons.

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In Witness Whereof, I (we) have hereunto set my (our) hand(s) and seal(s) this 30 day of March, 2005.

Carter Homebuilders, Inc.

By: _____ (SEAL)
Kerry Carter
Its: President

STATE OF ALABAMA
COUNTY OF SHELBY

I, the undersigned, a Notary Public in and for said State and County, hereby certify that **Kerry Carter**, whose name as **President** of **Carter Homebuilders, Inc**. 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, as such officer and with full authority, he executed the same voluntarily and as the act of said entity, on the day the same bears date.

Given under my hand and official seal this 30 day of March, 2005.

_____
Notary Public
My Commission Expires: 3/1/08

(SEAL)