

12598

20050603000270870 1/2 \$30.50  
Shelby Cnty Judge of Probate, AL  
06/03/2005 02:43:50PM FILED/CERT

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was  
prepared by:

A. VINCENT BROWN  
510 NORTH 18<sup>TH</sup> STREET  
BESSEMER, AL 35020

SEND TAX NOTICE TO:

ROBERT COLE  
1216 LAKE POINT VISTA  
BIRMINGHAM, AL 35244

STATE OF ALABAMA)

COUNTY OF SHELBY)

**JOINT TENANTS WITH RIGHT OF SURVIVORSHIP**

**WARRANTY DEED**

**Know All Men by These Presents:** That in consideration of THREE HUNDRED TWENTY FOUR THOUSAND DOLLARS and 00/100 (\$324,000.00) to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, RICHARD DEAN MCINTYRE and HEATHER MCINTYRE, HUSBAND AND WIFE (herein referred to as GRANTORS) do grant, bargain, sell and convey unto ROBERT COLE and JENNIFER A. COLE, 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 2038, according to the Survey of Lake Point Estates, First Addition, as recorded in Map Book 17, Page 14, in the Probate Office of Shelby County, Alabama.**

SUBJECT TO:

1. TAXES FOR THE YEAR BEGINNING OCTOBER 1, 2004 WHICH CONSTITUTES A LIEN BUT ARE NOT DUE AND PAYABLE UNTIL OCTOBER 1, 2005.
2. RELEASE OF DAMAGES AS SET OUT IN INSTRUMENT(S) RECORDED IN INSTRUMENT # 1993-9187.
3. A 25 FOOT BUILDING LINE FROM LAKE POINT VISTA AND AN EASEMENT OF VARYING WIDTHS ALONG REAR LOT LINE AS SHOWN ON RECORDED MAP.
4. NOTES AS SHOWN ON RECORDED MAP(S).
5. RESTRICTIONS AS SHOWN ON RECORDED MAP(S).
6. RESTRICTIONS APPEARING OF RECORD IN MISC. BOOK 14, PAGE 536 AND AMENDED IN MISC. BOOK 17, PAGE 560; INSTRUMENT # 1993-24588 AND BOOK 190, PAGE 35.
7. TITLE TO ALL MINERALS WITHIN AND UNDERLYING THE PREMISES, TOGETHER WITH ALL MINING RIGHTS AND OTHER RIGHTS, PRIVILEGES, IMMUNITIES AND RELEASE OF DAMAGES RELATING THERETO, AS RECORDED IN DEED BOOK 127, PAGE 240.
8. AGREEMENT WITH ALABAMA POWER COMPANY FOR UNDERGROUND

RESIDENTIAL DISTRIBUTION, AS RECORDED IN INST. 1993-24588.

9. CERTIFICATE OF COMPLIANCE IN MISC. BOOK 34, PAGE 549.

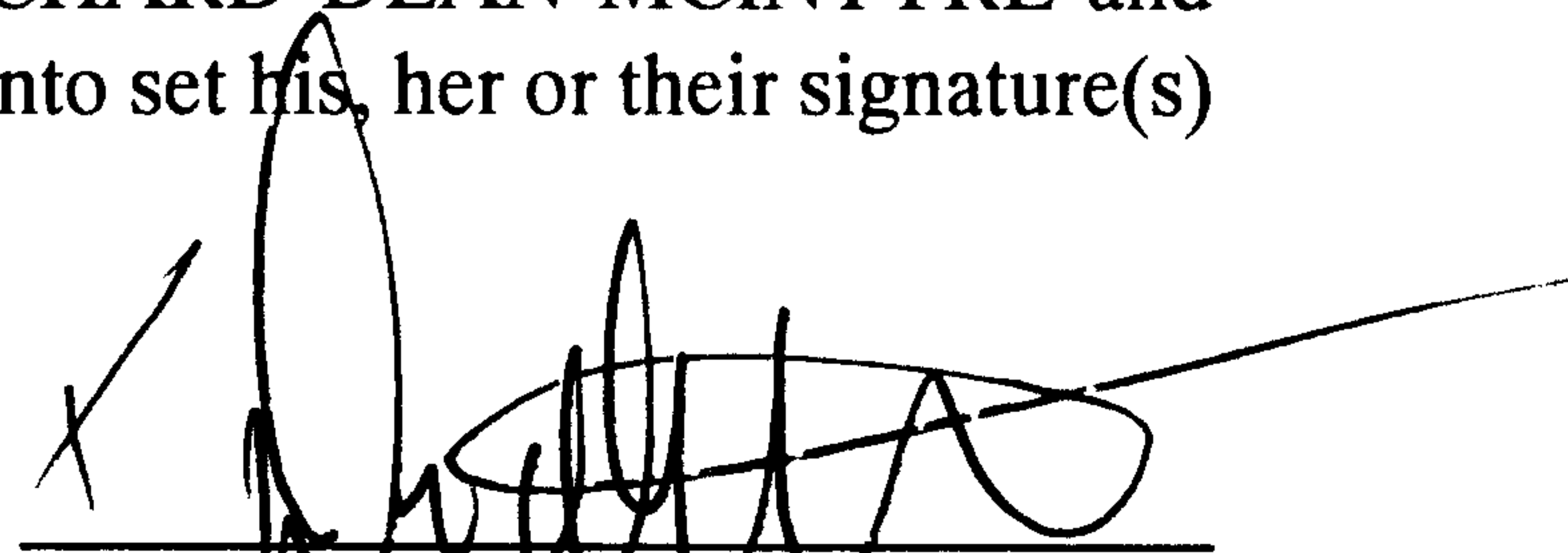
\$259,000.00 of the consideration herein was derived from a mortgage closed simultaneously herewith..

\$48,700.00 of the consideration herein was derived from a second mortgage closed simultaneously herewith.

**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 (we) do for myself (ourselves) and for my (our) heirs, executors, and administrators covenant with the said GRANTEES, 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 GRANTEES, his, her, or their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said GRANTORS, RICHARD DEAN MCINTYRE and HEATHER MCINTYRE, HUSBAND AND WIFE, have hereunto set his, her or their signature(s) and seal(s), this the 23rd day of May, 2005.

  
RICHARD DEAN MCINTYRE

  
HEATHER MCINTYRE

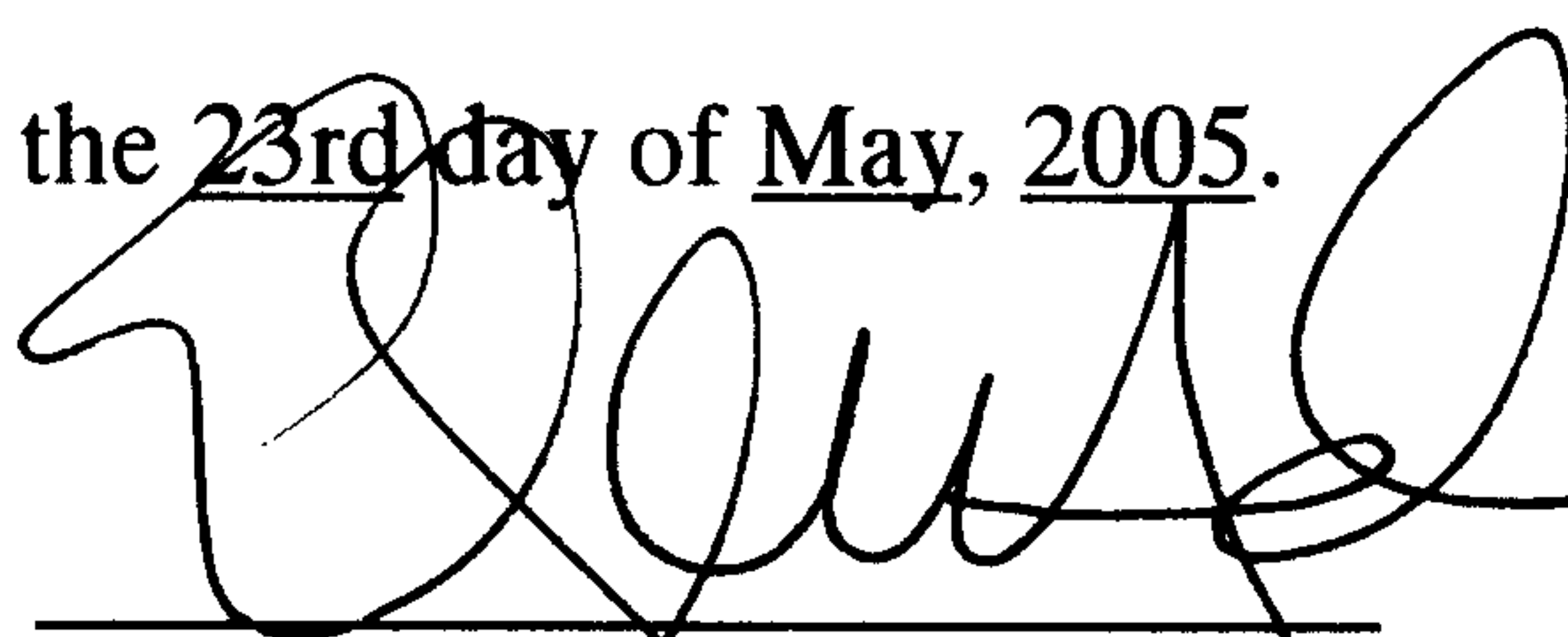
STATE OF ALABAMA)  
COUNTY OF SHELBY)

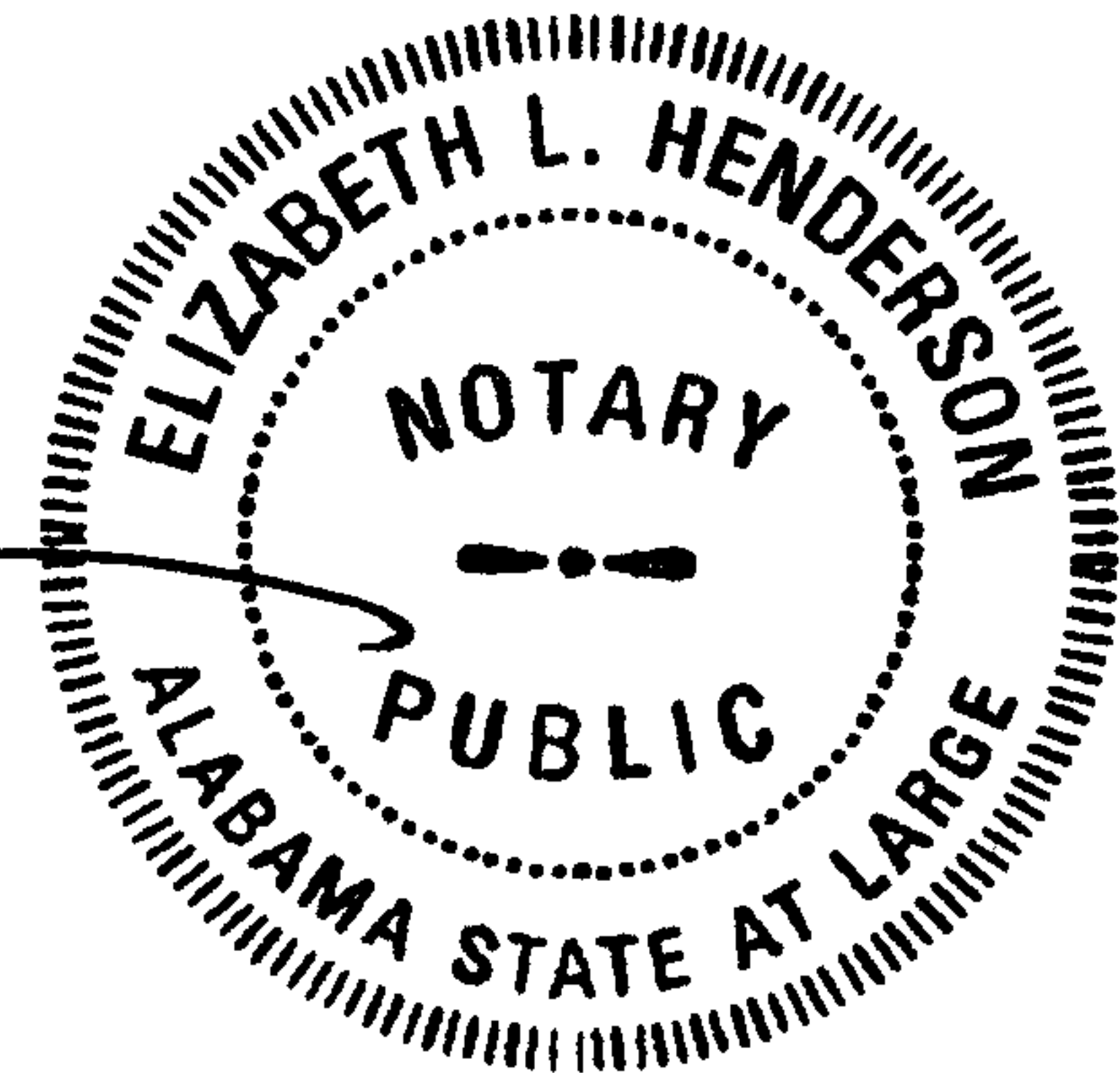
  
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ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that RICHARD DEAN MCINTYRE and HEATHER MCINTYRE, HUSBAND AND WIFE, 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 23rd day of May, 2005.

  
Notary Public



My commission expires: 10-2-05

Shelby County, AL 06/03/2005  
State of Alabama  
Deed Tax: \$16.50