12571

20050622000310270 1/2 $22.00
Shelby Cnty Judge of Probate,AL
06/22/2005 09:32:24AM FILED/CERT

(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

SEND TAX NOTICE TO:

EDWARD M. PRANKE
680 WATERFORD LANE
CALERA, AL 35040

STATE OF ALABAMA)
COUNTY OF SHELBY)

JOINT TENANTS WITH RIGHT OF SURVIVORSHIP
WARRANTY DEED

Know All Men by These Presents: That in consideration of ONE HUNDRED SIXTY THOUSAND SEVEN HUNDRED FIFTY DOLLARS and 00/100 ($160,750.00) to the undersigned grantor,HOLSOMBECK BUILDERS, INC. in hand paid by the GRANTEES herein, the receipt of which is hereby acknowledged, the said GRANTOR, does by these presents, grant, bargain, sell and convey unto EDWARD M. PRANKE and DONNA S. PRANKE, 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 586, ACCORDING TO THE SURVEY OF WATERFORD HIGHLANDS-SECTOR 4, PHASE 1, AS RECORDED IN MAP BOOK 34, PAGE 73, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

SUBJECT TO:

1. TAXES FOR THE YEAR BEGINNING OCTOBER 1, 2004 WHICH CONSTITUTE A LIEN, BUT ARE NOT DUE AND PAYABLE UNTIL OCTOBER 1, 2005.

2. RESTRICTIONS TO BE FILED OF RECORD.

3. ORDINANCE WITH CITY OF CALERA, AS RECORDED IN INST. NO. 2000-0006.

4. RIGHT OF WAY TO SHELBY COUNTY, AS RECORDED IN DEED BOOK 240, PAGE 36.

5. TITLE TO ALL MINERALS WITHIN AND UNDERLYING THE PREMISES, TOGETHER WITH ALL MINING RIGHTS AND OTHER RIGHTS, PRIVILEGES AND IMMUNITIES RELATING THERETO AS RECORDED IN INST. NO. 1995, PAGE 1640 AND REAL 345, PAGE 744.

6. TERMS AND CONDITIONS, AS RECORDED IN INST. 1995, PAGE 1640.

7. ARTICLES OF WATERFORD HOMEOWNERS ASSOCIATION AS RECORDED IN INST. 1999-49065.

8. RESTRICTIONS, AS RECORDED IN INST. 2002-59257.

9. DECLARATION OF RESTRICTIONS, COVENANTS AND EASEMENTS, AS RECORDED IN INST. 2000, PAGE 40215 AND AMENDED IN INST. 2001-12819.

10. GRANT TO THE STATE OF ALABAMA FOR RAILROAD, AS RECORDED IN REAL 278, PAGE 5.

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11. RELEASE OF DAMAGES, AS RECORDED IN 1995-1640, AND REAL 345, PAGE 744.

12. 8-FOOT EASEMENT ON THE SOUTH SIDE OF SAID PROPERTY, AS SHOWN BY RECORDED MAP.

$128,600.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

$24,112.00 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 said GRANTOR does for itself, its successors and assigns, covenant with the said GRANTEES, his, her, or their heirs and assigns, that it is lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that it has a good right to sell and convey the same as aforesaid, and that it will and its successors and assigns 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 GRANTOR, HOLSOMBECK BUILDERS, INC., by its PRESIDENT, STAN HOLSOMBECK who is authorized to execute this conveyance, has hereunto set its signature and seal, this the 8th day of June, 2005.

HOLSOMBECK BUILDERS, INC.

By:_____
STAN HOLSOMBECK, PRESIDENT

Shelby County, AL 06/22/2005
State of Alabama
Deed Tax:$8.00

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that STAN HOLSOMBECK, whose name as PRESIDENT of HOLSOMBECK BUILDERS, INC., a corporation, 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, he or she, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand this the 8th day of June, 2005.

_____
Notary Public

My commission expires: 10-2-05

ELIZABETH L. HENDERSON
NOTARY
PUBLIC
ALABAMA STATE AT LARGE