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20050829000446190 1/2 $14.00
Shelby Cnty Judge of Probate, AL
08/29/2005 02:11:44PM 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:

BRIAN COPES
518 WATERFORD COVE CIRCLE
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 EIGHTY EIGHT THOUSAND SEVEN HUNDRED THIRTY SIX DOLLARS and 00/100 ($188,736.00) to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, CHARLIE F CHANCELLOR DBA C&W CONSTRUCTION (herein referred to as GRANTORS) do grant, bargain, sell and convey unto BRIAN COPES and JEANETTE COPES, (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 664A, according to the Survey of Waterford Cove-Sector 3, Phase 2, as recorded in Map Book 34, Page 34, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

SUBJECT TO:

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

2. EASEMENTS AS SHOWN BY RECORDED PLAT, INCLUDING 8 FEET ON THE WESTERLY SIDE OF SAID LAND.

3. DECLARATION OF RESTRICTIONS, COVENANTS AND EASEMENTS, AS RECORDED IN INSTRUMENT #2001-12819 ALONG WITH INCORPORATION OF HOMEOWNERS RECORDED AS INST. NO. 2001-12817.

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

5. EASEMENT(S) TO ALABAMA POWER COMPANY AS SHOWN BY INSTRUMENT RECORDED IN INST 20040206000061990.

6. 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 INSTRUMENT #1995-1640 AND REAL 345 PAGE 744.

7. TERMS AND CONDITIONS SET OUT IN DEED RECORDED IN INSTRUMENT #1995-1640.

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

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9. RESTRICTIVE COVENANTS FOR WATERFORD COVE SECTOR 3 PHASE 2 TO BE RECORDED IN PROBATE OFFICE.

10. RESTRICTIONS, LIMITATIONS, CONDITIONS AND OTHER PROVISIONS AS SET OUT IN MAP BOOK 34, PAGE 34.

$150,988.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

$37,747.00 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, CHARLIE F CHANCELLOR DBA C&W CONSTRUCTION, have hereunto set his, her or their signature(s) and seal(s), this the 23rd day of August, 2005.

CHARLIE F CHANCELLOR DBA C&W CONSTRUCTION

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that CHARLIE F CHANCELLOR DBA C&W CONSTRUCTION, 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 August, 2005.

Notary Public

GEORGE M. VAUGHN NOTARY PUBLIC ALABAMA STATE AT LARGE

My commission expires: 9.29.06