

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was

SEND TAX NOTICE TO:

prepared by:

TRACEY D. PARTAIN 584 WATERFORD LANE CALERA, AL 35040

R. Shan Paden PADEN & PADEN Attorneys at Law 5 Riverchase Ridge, Suite 100 Birmingham, Alabama 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 ONE HUNDRED FIFTY FOUR THOUSAND FOUR HUNDRED DOLLARS and 00/100 (\$154,400.00) to the undersigned grantor, ROSE CREEK HOMES, 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 TRACEY D. PARTAIN and JOANNA C. VERMEER, (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:

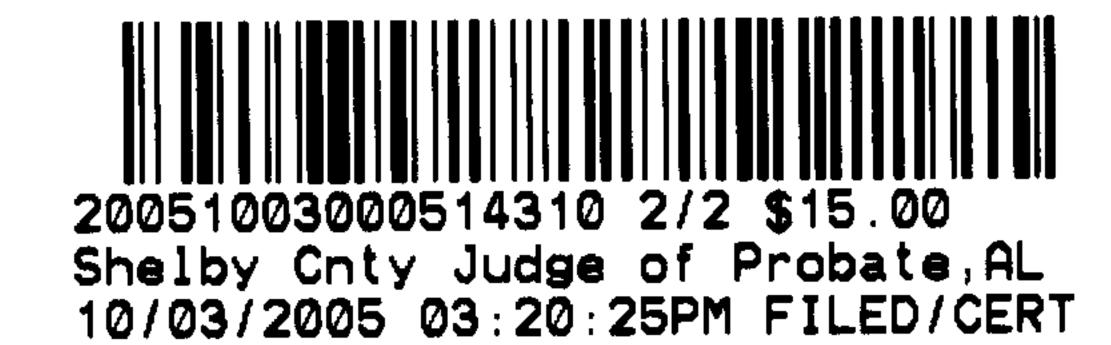
Lot 562, according to the Survey of Waterford Highlands - Sector 4 Phase 1, as recorded in Map Book 34, Page 73, in the Probate Office of Shelby County, Alabama.

## SUBJECT TO:

- TAXES FOR THE YEAR BEGINNING OCTOBER 1, 2004 WHICH CONSTITUTES A LIEN BUT ARE NOT DUE AND PAYABLE UNTIL OCTOBER 1, 2005.
- RESTRICTIONS AND RIGHT OF WAYS TO BE FILED OF RECORD.
- EASEMENT OF VARYING WIDTH ON THE NORTH SIDE OF SUBJECT PROPERTY AS SHOWN BY RECORDED MAP.
- AN UNDETERMINED 8-FOOT EASEMENT ON THE EAST SIDE AS SHOWN BY 4. RECORDED MAP.
  - \$154,400.00 of the consideration herein was derived from a 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, ROSE CREEK HOMES, INC., by its PRESIDENT, JOE ROSE who is authorized to execute this conveyance, has hereunto set its signature and seal, this the 27th day of September, 2005.

ROSE CREEK HOMES, INC.

By: /// JOE ROSE, PRESIDENT

STATE OF ALABAMA)
COUNTY OF SHELBY)

## ACKNOWLEDGMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that JOE ROSE, whose name as PRESIDENT of ROSE CREEK HOMES, 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 27th day of September, 2605.

Notary Public

My commission expires: