14103

20060404000155520 1/2 $15.00
Shelby Cnty Judge of Probate, AL
04/04/2006 02:37:18PM 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:

CHARLES E. PARKER, JR.
2073 HIGHVIEW WAY
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 SEVENTY SIX THOUSAND NINE HUNDRED DOLLARS and 00/100 ($176,900.00) 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 CHARLES E. PARKER, JR. and DENISE PARKER, 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 949 ACCORDING TO THE SURVEY OF WATERFORD HIGHLANDS SECTOR 4 PHASE 2 AS RECORDED IN MAP BOOK 36 PAGE 15A AND 15B IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

SUBJECT TO:

1. TAXES FOR THE YEAR 2005 WHICH CONSTITUTE A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 2006.

2. RIGHT OF WAY TO ALABAMA POWER COMPANY AS SET OUT IN 200556363 and 200556420.

3. EASEMENTS OF VARYING WIDTH ON THE NORTHWESTERLY SIDE OF SUBJECT PROPERTY.

4. 8 FOOT EASEMENT ON THE NORTH AND NORTHEAST OF SUBJECT PROPERTY.

5. DECLARATION AND RESTRICTIONS AS SETFORTH IN INSTRUMENT 200559714.

$141,520.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

$35,380.00 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.

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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 23rd day of March, 2006.

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 23rd day of March, 2006.

_____
Notary Public

GEORGE M. VAUGHN
NOTARY
PUBLIC
ALABAMA STATE AT LARGE

My commission expires: 9.29.06