

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This instrument was prepared by:
R. Shan Paden
PADEN & PADEN, PC
5 Riverchase Ridge
Birmingham, Alabama 35244

SEND TAX NOTICE TO: JOSEPH MBOTE 2003 ASHLEY BROOK WAY HELENA, AL 35080

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 TWENTY THREE THOUSAND THIRTY THREE DOLLARS 00/100 (\$123,033.00) to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, I/we, DONNA ALISON BAILEY aka DONNA ALISON MARTIN and HARRY BAILEY, WIFE AND HUSBAND (herein referred to as GRANTORS) do grant, bargain, sell and convey unto JOSEPH MBOTE AND FLORENCE W. MBOTE, (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 71, according to the Survey of Ashley Brook, as recorded in Map Book 22, Page 78, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

DONNA ALISON BAILEY AND DONNA ALISON MARTIN ARE ONE AND THE SAME PERSON

SUBJECT TO:

- 1. TAXES FOR THE YEAR OCTOBER 1, 2005, A LIEN, BUT NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 2006.
- 2. MUNICIPAL IMPROVEMENTS, TAXES, ASSESSMENTS AND FIRE DISTRICT DUES AGAINST SUBJECT PROPERTY, IF ANY.
- 3. BUILDING SETBACK LINE ALONG ASHLEY BROOK WAY AS PER PLAT.
- 4. EASEMENT AS SHOWN ON RECORDED MAP.
- 5. SUBJECT TO COVENANTS, CONDIITIONS AND RESTRICTIONS (DELETING THEREFROM, AND RESTRICTIONS INDICATING ANY PREFERENCE, LIMITATION, OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILY STATUS OR NATIONAL ORIGIN) AS SET FORTH IN THE DOCUMENT RECORDED IN INSTRUMENT #1997-13189, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
- 6. EASEMENT TO TOWN OF HELENA AS RECORDED IN DEED BOOK 305, PAGE 394, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
- 7. EASEMENT TO ALABAMA POWER COMPANY AS RECORDED IN REAL 1, PAGE 332, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
- 8. RIGHTS OF OWNERS OF PROPERTY ADJOINING PROPERTY IN AND TO THE JOINT OR COMMON RIGHTS IN BUILDING SITUATED ON SAID LOTS, SUCH RIGHTS INCLUDE BUT ARE NOT LIMITED TO ROOF, FOUNDATIONS, PARTY WALLS, WALKWAYS AND ENTRANCE.
- 9. EASEMENT(S) FOR DRIVING PURPOSES AS SHOWN BY INSTRUMENT RECORDED IN DEED BOOK 311, PAGE 153.

10. RESTRICTIONS, LIMITATIONS AND CONDITIONS AS SET OUT IN MAP BOOK 22, PAGE 78.

\$123,033.00 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 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, DONNA ALISON BAILEY and HARRY BAILEY, have hereunto set his, her or their signature(s) and seal(s), this the 7th day of July, 2006.

Donna Lison Bailey By HER ATTORNEY IN FACT, HARRY BAILEY

STATE OF ALABAMA
)
COUNTY OF SHELBY

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that **HARRY BAILEY** whose name(s) as attorney in fact for **DONNA ALISON BAILEY**, 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, they, in their capacity as Attorney In Fact, executed the same voluntarily with full authority on the day the same bears date.

ACKNOWLEDGMENT

STATE OF ALABAMA
COUNTY OF SHELBY

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that **HARRY BAILEY**, 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 7th day of July, 2006.

Notary Public
My commission expires: 4.29.0



