14584

20060711000330550 1/2 $22.50
Shelby Cnty Judge of Probate,AL
07/11/2006 08:46:11AM FILED/CERT

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This instrument was prepared by:

R. Shan Paden
PADEN & PADEN, PC
5 Riverchase Ridge, Suite 100
Birmingham, Alabama 35244

SEND TAX NOTICE TO:

BRETT KEENER
1500 HIGHVIEW DRIVE
CALERA, AL 35040

Shelby County, AL 07/11/2006
State of Alabama

Deed Tax:$8.50

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 NINE THOUSAND NINE HUNDRED DOLLARS 00/100 ($169,900.00)** to the undersigned grantor, in hand paid by the GRANTEES herein, the receipt of which is hereby acknowledged, the said GRANTOR, **ROSE CREEK HOMES, INC.** does by these presents, grant, bargain, sell and convey unto **BRETT KEENER and TARA KEENER, 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 1013, 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, A LIEN, BUT NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 2006.
2. RIGHT OF WAY TO ALABAMA POWER COMPANY AND SOUTHERN BELL TELEPHONE AND TELEGRAPH COMPANY, AS SET FORTH ON REAL VOLUME 2300, PAGE 867.
3. RIGHT OF WAY TO ALABAMA POWER COMPANY, AS SET FORTH IN VOLUME 2877, PAGE 403, VOLUME 4156, PAGE 394, AND VOLUME 4220, PAGE 9.
4. EASEMENT OF VARING WIDTH ON THE NORTHWESTERLY SIDE OF SUBJECT PROPERTY, AS SHOWN ON RECORDED MAP.
5. A 20 FOOT EASEMENT ON THE EAST SIDE, AS SHOWN ON RECORDED MAP.
6. A 7.5 FOOT EASEMENT ON THE NORTH SIDE, AS SHOWN ON RECORDED MAP.
7. 8-FOOT EASEMENT ON THE SOUTH AND WEST SIDE OF SUBJECT PROPERTY, AS SHOWN ON RECORDED MAP.
8. DECLARATION AND RESTRICTIONS, AS SETFORTH IN INSTRUMENT 2005-59714.

$135,920.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

$25,485.00 of the consideration herein was derived from a second mortgage closed simultaneously herewith.

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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 **JOE ROSE** its **PRESIDENT**, who is authorized to execute this conveyance, has hereunto set its signature and seal, this the 30th day of June, 2006.

ROSE CREEK HOMES, INC.

Joe Rose

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/an , 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 .

Given under my hand this the 30th day of June, 2006.

Notary Public

My commission expires: 9.27.09

ELIZABETH L. HENDERSON
NOTARY
PUBLIC
ALABAMA STATE AT LARGE