5417

20070205000051830 1/2 $14.50
Shelby Cnty Judge of Probate,AL
02/05/2007 09:30:22AM FILED/CERT

Shelby County, AL 02/05/2007
State of Alabama

Deed Tax:$.50

(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:

BRIAN W. DEASON
2005 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 **TWO HUNDRED THREE THOUSAND NINE HUNDRED FIFTY DOLLARS 00/100 ($203,950.00)** to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, I/we, **CHARLIE F CHANCELLOR DBA C&W CONSTRUCTION** (herein referred to as GRANTORS) do grant, bargain, sell and convey unto **BRIAN W. DEASON and JANET PARKER DEASON**, (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 966, according to the Survey of Waterford Highlands, Sector 4, Phase 2, as recorded in Map Book 36, Page 15 A&B in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.**

SUBJECT TO:

1. TAXES FOR THE YEAR BEGINNING OCTOBER 1, 2006 WHICH CONSTITUTE A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 2007.

2. BUILDING SETBACK LINE AS SHOWN BY MAP BOOK 36, PAGE 15 A&B.

3. EASEMENTS AS SHOWN BY MAP BOOK 36, PAGE 15 A&B.

4. RESTRICTIONS, COVENANTS AND CONDITIONS AS SET OUT IN INSTRUMENT(S) RECORDED IN INST. NO. 20051115000597140 IN THE PROBATE OFFICE.

5. RIGHT(S) OF WAY(S) GRANTED TO TOWN OF CALERA BY INSTRUMENT(S) RECORDED IN INST. NO. #2001-36236 IN THE PROBATE OFFICE.

6. EASEMENT(S) TO ALABAMA POWER COMPANY AS SHOWN BY INSTRUMENT TO BE RECORDED IN THE PROBATE OFFICE.

7. TITLE TO ALL MINERALS WITHIN AND UNDERLYING THE PREMISES, TOGETHER WITH ALL MINING RIGHTS AND OTHER RIGHTS SET OUT IN INST. NO. 2002111500057060 AND CORRECTED IN INST. NO. 20030604000346100 AND INST. NO. 20031125000772700 IN THE PROBATE OFFICE.

8. RELEASE(S) OF DAMAGES AS SET OUT IN INSTRUMENT(S) RECORDED IN INST. NO. #1995-1640, REAL BOOK 345 PAGE 744 AND INST. NO. 20060313000117130 IN THE PROBATE OFFICE.

9. GRANT TO THE STATE OF ALABAMA RAILROAD AS SET OUT IN REAL 278 PAGE 5 IN THE PROBATE OFFICE.

10. TERMS AND CONDITIONS AS SET OUT IN DEED RECORDED IN INST. #1995-1640 IN

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THE PROBATE OFFICE.

11. RESTRICTIONS, LIMITATIONS, CONDITIONS AND OTHER PROVISIONS AS SET OUT IN MAP BOOK 36, PAGE 15 A&B IN THE PROBATE OFFICE.

12. TERMS, CONDITIONS AND PROVISIONS CONTAINED IN THE DEED FROM GULF STATES PAPER CORPORATION TO WATERFORD, LLC INCLUDING RIGHTS, RESERVED AS TO TIMBER HARVESTING, AS SET OUT AND RECORDED IN INST. NO. 20021115000570760 AND CORRECTED IN INST. NO. 20030604000346100 IN THE PROBATE OFFICE.

13. TERMS, CONDITIONS AND PROVISIONS CONTAINED IN THE DEED FROM GULF STATES PAPER CORPORATION TO MITZI R. REAMER INCLUDING RIGHTS, RESERVED AS TO TIMBER HARVESTING, AS SET OUT AND RECORDED IN INST. NO. 20031125000772700 IN THE PROBATE OFFICE.

14. DEED TO LOUISVILLE AND NASHVILLE RAILROAD AS RECORDED IN BOOK T PAGE 655 IN THE PROBATE OFFICE.

$163,160.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

$40,750.00 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 31st day of January, 2007.

**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 31st day of January, 2007.

Notary Public
My commission expires: 9.29.2010

GEORGE M. VAUGHN
NOTARY
PUBLIC
ALABAMA STATE AT LARGE