15601

20070413000171260 1/2 $15.00
Shelby Cnty Judge of Probate,AL
04/13/2007 08:14:08AM 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:

DUSTIN MARTENS
2174 VILLAGE LANE
CALERA, AL 35040

STATE OF ALABAMA
COUNTY OF SHELBY

WARRANTY DEED

Know All Men by These Presents: That in consideration of **ONE HUNDRED NINE THOUSAND THREE HUNDRED TWENTY FIVE DOLLARS 00/100 ($109,325.00)** to the undersigned grantor, WATERFORD, L.L.C., a/an **Limited Liability Company**, 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 **DUSTIN MARTENS**, (herein referred to as GRANTEES, whether one or more) the following described real estate, situated in **SHELBY** County, Alabama, to-wit:

LOT 288E ACCORDING TO THE SURVEY OF WATERFORD VILLAGE SECTOR 5 PHASE 3 AS RECORDED IN MAP BOOK 37 PAGE 65 IN THE PROBATE OFFICE OF 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. ORDINANCE WITH CITY OF CALERA, AS RECORDED IN INST. NO. 2000-0006.
3. RIGHT OF WAY TO SHELBY COUNTY, AS RECORDED IN DEED BOOK 240, PAGE 36.
4. TITLE TO ALL MINERALS WITHIN AND UNDERLYING THE PREMISES, TOGETHER WITH ALL MINING RIGHTS AND OTHER RIGHTS, PRIVILEGES AND IMMUNITIES RELATING THERETO AS RECORDED IN INST. NO. 1995, PAGE 1640 AND REAL 345, PAGE 744.
5. TERMS AND CONDITIONS AS RECORDED IN INST. NO. 1995, PAGE 1640.
6. ARTICLES OF WATERFORD HOMEOWNERS ASSOCIATION, AS RECORDED IN INST. NO. 2001, PAGE 12817.
7. ARTICLES OF ORGANIZATION OF WATERFORD, LLC AS RECORDED IN INST. NO. 1999-49065.
8. RESTRICTIVE COVENANTS, TO BE FILED OF RECORD.
9. DECLARATION OF RESTRICTIONS COVENANTS AND EASEMENTS AS RECORDED IN INST. NO. 2000, PAGE 40215 AND AMENDED IN INST. NO. 2001-12819.
10. EASEMENT AND RIGHT OF WAY WITH ALABAMA POWER COMPANY, AS RECORDED IN INST. NO. 2004-35497.
11. GRANT TO THE STATE OF ALABAMA FOR RAILROAD, AS RECORDED IN REAL 278, PAGE 5.
12. RELEASE OF DAMAGES, AS RECORDED IN 1995-1640 AND REAL 345, PAGE 744.
13. EASEMENT OF UNDERTERMINED WIDTH ON THE FRONT OF SUBJECT PROPERTY, AS SHOWN ON RECORDED MAP.
14. 8 FOOT EASEMENT ON THE SOUTH, AS RECORDED ON RECORDED MAP.
15. 7.5 FOOT EASEMENT ON THE NORTH SIDE, AS SHOWN ON RECORDED MAP.
16. RIGHT OF WAY GRANTED TO ALABAMA POWER COMPANY, AS SET FORTH IN INST. NO. 2005-56363 AND 2005-56420.
17. RESTRICTIVE COVENANTS, AS SETFORTH IN INST. NO. 2005-59712.
18. RIGHT OF WAY TO GULF STATES PAPER CORPORATION, AS RECORDED IN INST. NO. 2006-14603.

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$109,325.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

TO HAVE AND TO HOLD Unto the said GRANTEES, their heirs and assigns, forever.

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, **WATERFORD, L.L.C.** , by **MATTHEW S. MOORE** its **CLOSING AGENT**, who is authorized to execute this conveyance, has hereunto set its signature and seal, this the 30th day of March, 2007.

WATERFORD, L.L.C.

MATTHEW S. MOORE
CLOSING AGENT

STATE OF ALABAMA)

COUNTY OF SHELBY)

ACKNOWLEDGMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that **MATTHEW S. MOORE**, whose name as **CLOSING AGENT** of WATERFORD, L.L.C., a/an **Limited Liability Company**, 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 **Limited Liability Company**.

Given under my hand this the 30th day of March, 2007.

Notary Public

My commission expires: 9.27.08

ELIZABETH L. HENDERSON
NOTARY PUBLIC
STATE AT LARGE
ALABAMA