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20070801000357160 1/2 \$15.00
Shelby Cnty Judge of Probate, AL
08/01/2007 08:11:27AM FILED/CERT

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This instrument was prepared by:

SEND TAX NOTICE TO:

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

MARK A. BROWN
2057 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 FIFTY EIGHT THOUSAND NINE HUNDRED DOLLARS 00/100 (\$158,900.00)** 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 **MARK A. BROWN and LISA B. BROWN, 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 953 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 BEGINNING OCTOBER 1, 2006 WHICH CONSTITUTE A LIEN, BUT ARE NOT DUE AND PAYABLE UNTIL OCTOBER 1, 2007.
2. EASEMENTS AS SHOWN BY PLAT INCLUDING 8 FEET ON THE SOUTHEASTERLY, AND 40 FEET ON THE NORTHERLY SIDES.
3. RESTRICTIONS, COVENANTS AND CONDITIONS AS SET OUT IN INSTRUMENT(S) TO BE RECORDED IN THE PROBATE OFFICE.
4. EASEMENT(S) TO ALABAMA POWER COMPANY AS SHOWN BY INSTRUMENT RECORDED IN INST. NO. 20051031000564200.
5. 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. 20021115000570760 AND CORRECTED IN INST. NO. 20030604000346100 AND 1995-1640.
6. GRANT TO THE STATE OF ALABAMA FOR RAILROAD, AS RECORDED IN REAL 278, PAGE 5.
7. TERMS AND CONDITIONS, AS RECORDED IN INST. 1995, PAGE 1640.
8. RIGHT(S) OF WAY(S) GRANTED TO TOWN OF CALERA BY INSTRUMENT(S) RECORDED IN INST. NO. 2001-36236.
9. RELEASE(S) OF DAMAGES AS SET OUT IN INSTRUMENT(S) RECORDED IN INST. NO. 1995-1640.
10. RESTRICTIONS, LIMITATIONS, CONDITIONS AND OTHER PROVISIONS AS SET OUT IN MAP BOOK 34, PAGE 73.

11. 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. 20030604000346100.
12. RESTRICTIONS, COVENANTS AND GRANTS OF LAND EASEMENT TO ALABAMA POWER COMPANY AS SET OUT IN INST. NO. 200510321000564210.

\$158,900.00 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 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 26th day of July, 2007.

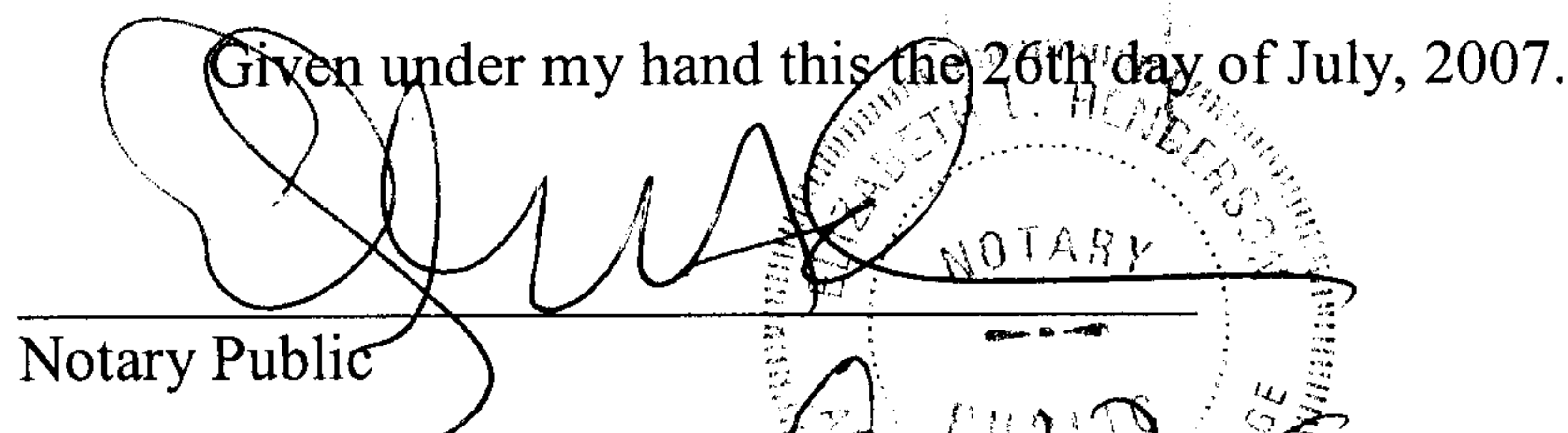
ROSE CREEK HOMES, INC.


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 26th day of July, 2007.

Notary Public
My commission expires: 