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20071004000463960 1/2 \$224.00
Shelby Cnty Judge of Probate, AL
10/04/2007 08:41:36AM FILED/CERT

Shelby County, AL 10/04/2007
State of Alabama

Deed Tax: \$210.00

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This instrument was prepared by:

SEND TAX NOTICE TO:

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

HUBERT MATTHEWS COLE
220 SUNRISE COURT
ALABASTER, AL 35007

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 TEN THOUSAND DOLLARS 00/100 (\$210,000.00)** to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, I/we, **MARTHA GAYLE ABERNATHY, AN UNMARRIED PERSON** (herein referred to as GRANTORS) do grant, bargain, sell and convey unto **HUBERT MATTHEWS COLE and ANDRIA COLE**, (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 102 ACCORDING TO THE SURVEY OF STAGE COACH TRACE SECTOR 1 AS RECORDED IN MAP BOOK 25 PAGE 24 A B ~~AND~~ C IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

and
29

SUBJECT TO:

1. TAXES FOR THE YEAR 2067 WHICH CONSTITUTE A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 2007.
2. BUILDING SETBACK LINES AS SHOWN BY RESTRICTIVE COVENANTS RECORDED AS IN INSTRUMENT 1999-4656.
3. RESTRICTIONS COVENANTS AND CONDITIONS AS SET OUT IN INSTRUMENT RECORDED IN INSTRUMENT 1998-31624 AND 1999-4656.
4. TRANSMISSION LINE PERMIT TO ALABAMA POWER AS SHOWN BY INSTRUMENT RECORDED IN DEED 112 PAGE 458 AND DEED 123 PAGE 430 AND DEED 217 PAGE 752 IN THE PROBATE OFFICE.
5. RESTRICTIONS LIMITATIONS AND CONDITIONS AS SET OUT IN MAP BOOK 25 PAGE 24 A B AND C.
6. COVENANTS RELEASING PREDECESSOR IN TITLE FROM ANY LIABILITY ARISING FROM SINKHOLES LIMESTONE FORMATIONS SOIL CONDITIONS OR ANY OTHER KNOWN OR UNKNOWN SURFACE OR SUBSURFACE CONDITIONS THAT MAY NOW OR HEREAFTER EXIST OR OCCUR OR CAUSE DAMAGE TO SUBJECT PROPERTY AS SHOWN BY MAP BOOK 25 PAGE 24 A B AND C.
7. RELEASE OF DAMGAES AS SET OUT IN INSTRUMENT RECORDED IN INSTRUMENT 1999-7369 IN PROBATE OFFICE.
8. EASEMENT TO ALABAMA POWER COMPANY AS SHOWN BY INSTURMENT RECORDED IN INSTRUMENT 1999-22219.
9. A 45 FOOT TO SOUTHERN NATURAL GAS EASEMENT LOCATED ON THE WEST SIDE OF LOT AS SHOWN BY RECORDED MAP.
10. A 15 FOOT EASEMENT RUNNING THRU LOT AS SHOWN BY RECORDED MAP.

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, **MARTHA GAYLE ABERNATHY, AN UNMARRIED PERSON**, have hereunto set his, her or their signature(s) and seal(s), this the 28th day of September, 2007.

Martha Gayle Abernathy
MARTHA GAYLE ABERNATHY

**STATE OF ALABAMA
COUNTY OF SHELBY**

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that **MARTHA GAYLE ABERNATHY, AN UNMARRIED PERSON**, 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 28th day of September, 2007.

Robert S. Paden
Notary Public
My commission expires: _____

