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Shelby Cnty Judge of Probate, AL
02/20/2008 03:30:05PM 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
Birmingham, Alabama 35244

ANDREA S. LUSAIN
104 CHASE CREEK CIRCLE
PELHAM, AL 35124

STATE OF ALABAMA
COUNTY OF SHELBY

WARRANTY DEED

Know All Men by These Presents: That in consideration of **ONE HUNDRED TWENTY FOUR THOUSAND FIVE HUNDRED DOLLARS 00/100 (\$124,500.00)** to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, I/we, **CINDY A. FREY and MARIA C. MARTINEZ, BOTH UNMARRIED** (herein referred to as GRANTORS) do grant, bargain, sell and convey unto **ANDREA S. LUSAIN**, (herein referred to as GRANTEES, whether one or more) the following described real estate, situated in **SHELBY** County, Alabama, to-wit:

Lot 3, according to the Survey of Chase Creek Townhomes, Phase I, as recorded in Map Book 18, Page 73, in the Probate Office of Shelby County, Alabama.

SUBJECT TO:

1. **TAXES FOR THE YEAR BEGINNING OCTOBER 1, 2007 WHICH CONSTITUTES A LIEN BUT ARE NOT DUE AND PAYABLE UNTIL OCTOBER 1, 2008.**
2. **ENCROACHMENTS, VARIATIONS IN AREA OR IN MEASUREMENTS, BOUNDARY LINE DISPUTES, ROADWAYS AND MATTERS NOT OF RECORD, INCLUDING LACK OF ACCESS, WHICH WOULD BE DISCLOSED BY ACCURATE SURVEY AND INSPECTION OF THE PROPERTY.**
3. **EASEMENTS OR OTHER USES OF SUBJECT PROPERTY NOT VISIBLE FROM THE SURFACE, OR EASEMENTS OR CLAIMS OF EASEMENTS, NOT SHOWN BY THE PUBLIC RECORDS.**
4. **RIGHTS OR CLAIMS OF PARTIES IN POSSESSION NOT SHOWN BY PUBLIC RECORDS.**
5. **LAND COMPRISING THE SHORES OR BOTTOMS OF NAVIGABLE WATERS OR TO ARTIFICIAL ACCRETIONS OR FILLS.**
6. **RIGHT(S) OF WAY TO CITY OF PELHAM, AS RECORDED IN DEED BOOK 341, PAGE 725.**
7. **TITLE TO ALL MINERALS WITHIN AND UNDERLYING THE PREMISES, TOGETHER WITH ALL MINING RIGHTS AND OTHER RIGHTS, PRIVILEGES AND IMMUNITIES AND RELEASE OF DAMAGES RELATING THERETO, AS RECORDED IN INST. NO. 1993-33446.**
8. **RIGHTS OF OWNERS OF PROPERTY ADJOINING PROPERTY IN AND TO THE JOINT OR COMMON RIGHTS IN BUILDING SITUATED ON SAID LOTS, SUCH RIGHTS INCLUDE BUT ARE NOT LIMITED TO ROOF, FOUNDATION, PARTY WALLS, WALKWAY AND ENTRANCE.**
9. **EASEMENTS AND BUILDING LINE AS SHOWN ON RECORDED MAP.**



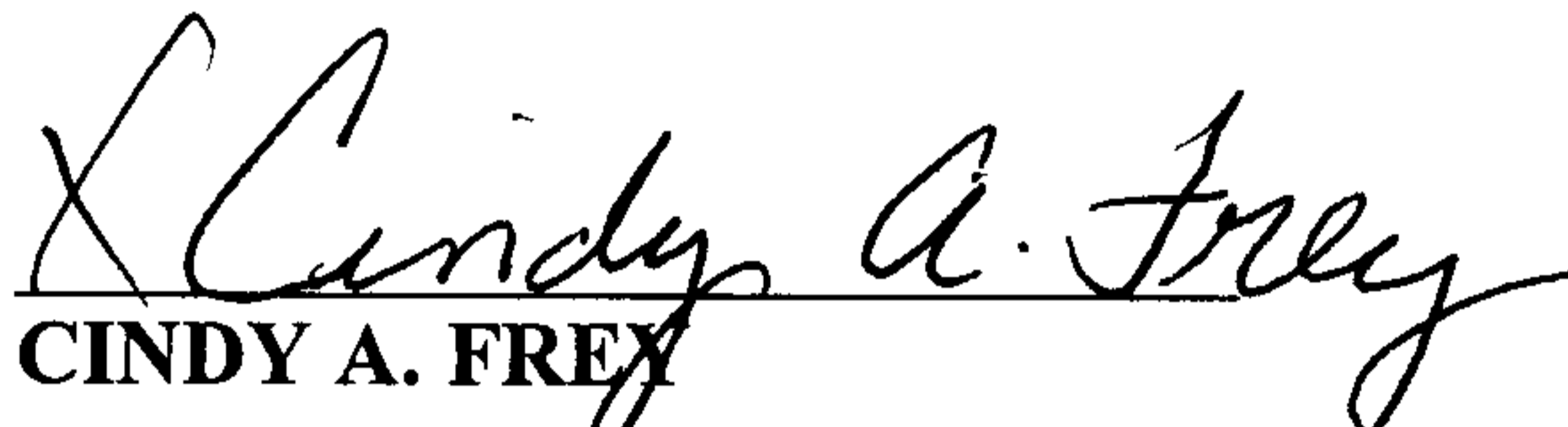
- 10. **RESTRICTIVE COVENANTS AND GRANT OF LAND EASEMENTS IN FAVOR OF ALABAMA POWER COMPANY AS RECORDED IN INST. NO. 1995-12819.**
- 11. **DECLARATION OF PROTECTIVE COVENANTS, RESTRICTIONS, EASEMENTS, RIGHTS OF LIEN AS RECORDED IN INST. NO. 1994-30995.**

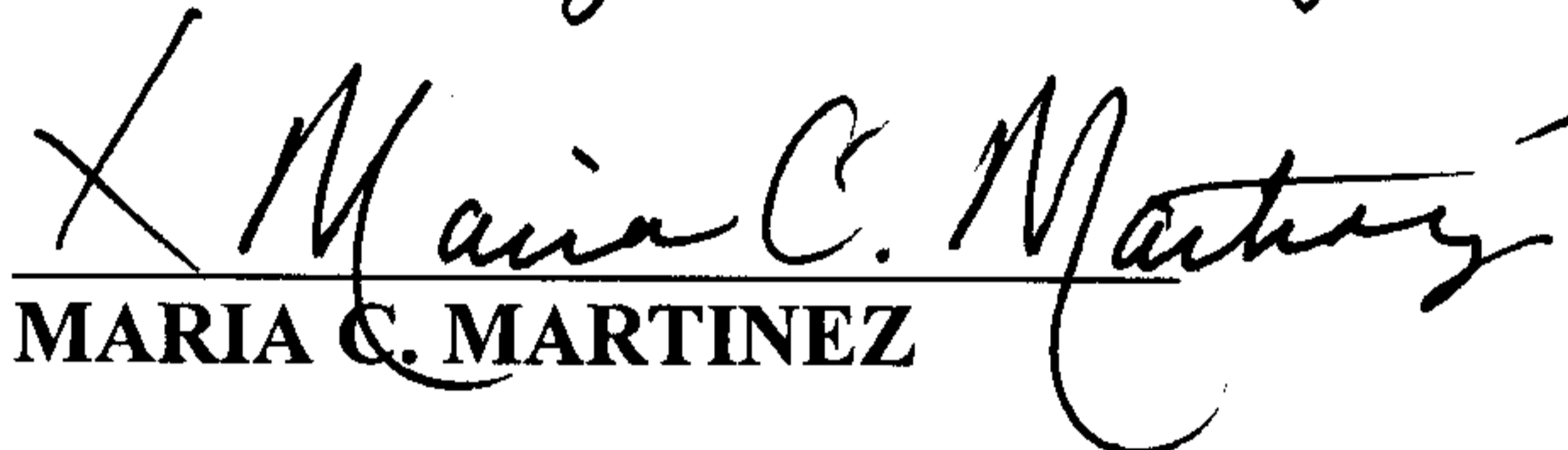
\$124,500.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

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

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, **CINDY A. FREY and MARIA C. MARTINEZ**, have hereunto set his, her or their signature(s) and seal(s), this the 11th day of February, 2008.


CINDY A. FREY

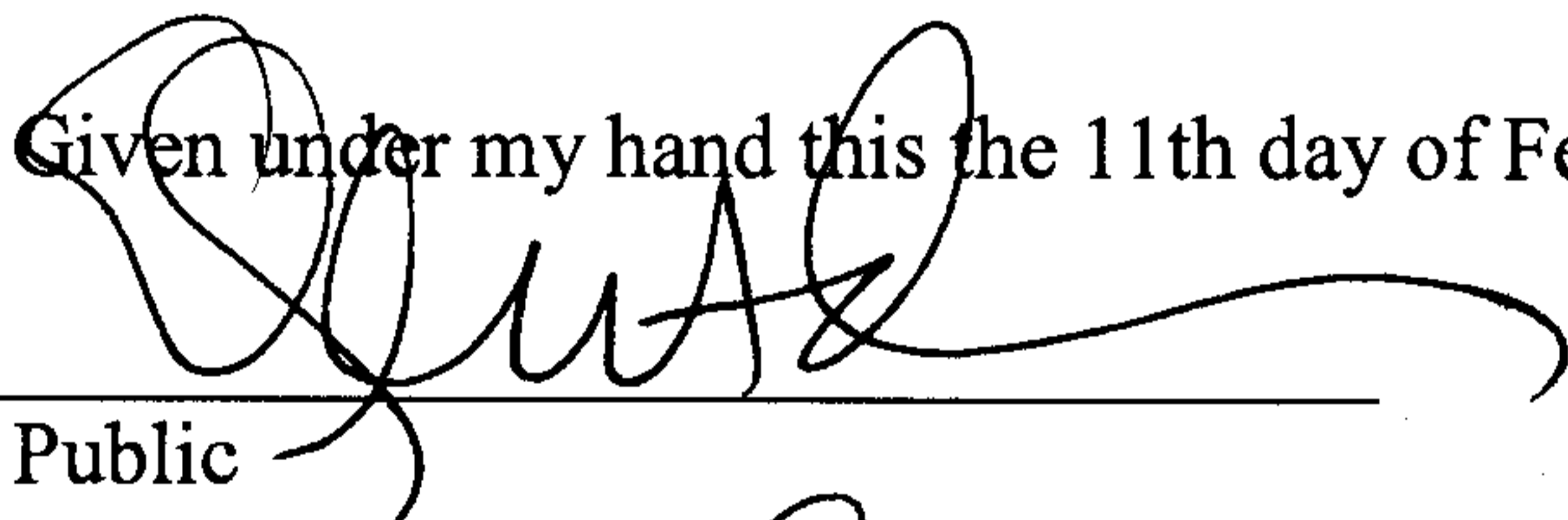

MARIA C. MARTINEZ

**STATE OF ALABAMA
COUNTY OF SHELBY**

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that **CINDY A. FREY and MARIA C. MARTINEZ**, 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 11th day of February, 2008.


Notary Public

My commission expires: 9-27-09