

16696

20080408000140910 1/2 \$80.00  
Shelby Cnty Judge of Probate, AL  
04/08/2008 09:13:59AM FILED/CERT

Shelby County, AL 04/08/2008  
State of Alabama  
Deed Tax: \$66.00

(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

SAVANNAH KIMBREL  
2017 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 THREE THOUSAND NINE HUNDRED DOLLARS 00/100 (\$153,900.00)** to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, I/we, **ROSE CREEK HOMES, INC.** (herein referred to as GRANTORS) do grant, bargain, sell and convey unto **SAVANNAH KIMBREL AN UNAMRRIED PERSON and RICHARD T. RAY, A MARRIED PERSON** (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 963, ACCORDING TO THE SURVEY OF WATERFORD HIGHLANDS-SECTOR 4, PHASE 2, AS RECORDED IN MAP BOOK 36, PG 15A AND 15B, 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 YET DUE AND PAYABLE UNTIL OCTOBER 1, 2008.**
2. **ORDINANCE WITH CITY OF CALERA, AS RECORDED IN INSTRUMENT 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 INSTRUMENT 1995, PAGE 1640 AND REAL 345, PAGE 744.**
5. **TERMS AND CONDITIONS, AS RECORDED IN INSTRUMENT 1995, PAGE 1640.**
6. **ARTICLES OF WATERFORD HOME OWNERS ASSOCIATION, AS RECORDED IN INSTRUMENT 2001, PAGE 12817.**
7. **ARTICLES OF ORGANIZATION OF WATERFORD, LLC, AS RECORDED IN INSTRUMENT #1999-49065.**
8. **DECLARATION OF RESTRICTIONS, COVENANTS AND EASEMENTS, AS RECORDED IN INSTRUMENT 2000, PAGE 40215 AND AMENDED IN INSTRUMENT 2001-12819.**
9. **EASEMENT AND RIGHT OF WAY WITH ALABAMA POWER COMPANY, AS RECORDED IN INSTRUMENT 2004-35497.**
10. **GRANT TO THE STATE OF ALABAMA FOR RAILROAD, AS RECORDED IN REAL 278, PAGE 5.**
11. **RELEASE OF DAMAGES, AS RECORDED IN 1995-1640, AND REAL 345, PAGE 744.**



**12. EASEMENT OF UNDETERMINED WIDTH ON THE NORTHWESTERLY SIDE, AS SHOWN ON RECORDED MAP.**

\$88,305.00 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 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 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 4<sup>th</sup> day of April, 2008.

**ROSE CREEK HOMES, INC.**  
**JOE ROSE, PRESIDENT**

*By Joe Rose*

**STATE OF ALABAMA**  
**COUNTY OF SHELBY**

**ACKNOWLEDGEMENT**

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.**, 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, she, or they executed the same voluntarily on the day the same bears date.

Given under my hand this the 4th day of April, 2008.

*[Signature]*

Notary Public

My commission expires:

*2/10/10*

