

This instrument was prepared by:
Clayton T. Sweeney, Attorney
2700 Hwy. 280E, Suite 290E
Birmingham, AL 35223

SEND TAX NOTICE TO:
MARK DAVID CARY
KIMBERLY RENEE CARY
4111 Crescent Circle
Birmingham, AL 35242

STATE OF ALABAMA)
COUNTY OF SHELBY)

Corporation Form Deed/TW/LOS

KNOW ALL MEN BY THESE PRESENTS, That in consideration of FIFTY-TWO THOUSAND DOLLARS AND NO/100's DOLLARS (\$52,000.00) to the undersigned grantor, BILLINGSLEY HOMES, INC., a corporation, (herein referred to as GRANTOR), in hand paid by the GRANTEES herein, the receipt of whereof is acknowledged, the said GRANTOR does by these presents grant, bargain, sell, and convey unto MARK DAVID CARY and KIMBERLY RENEE CARY (herein referred to as GRANTEES) as joint tenants, with right of survivorship, the following described real estate, situated in SHELBY County, Alabama:

Lot 34, according to the 1st Amended Plat of Greystone Farms, Milner's Crescent Sector, Phase I, as recorded in Map Book 19, Page 140, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

Subject to:

Ad valorem taxes for 1997 and subsequent years not yet due and payable until October 1, 1997. Existing covenants and restrictions, easements, building lines, and limitations of record.

\$25,000.00 of the consideration was paid from the proceeds of 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 said GRANTEES 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, and that I/we will and my/our heirs, executors, and administrators shall warrant and defend the same to the said GRANTEES, their heirs executors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said GRANTOR, by its President, Butch Billingsley, who is authorized to execute this conveyance, has hereto set his signature and seal, this the 31st day of January, 1997.

BILLINGSLEY HOMES, INC.

By: Butch Billingsley
Butch Billingsley
Its: President

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Butch Billingsley, whose name as President of BILLINGSLEY HOMES, INC., a corporation, 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, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation. Given under my hand and official seal this 31st day of January, 1997.

Notary Public
My Commission Expires: 5/20/99

Inst. # 1997-04924
02/14/1997-04924
02:37 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE

001 NCS 35.50

Inst. # 1997-04924

CLAYTON T. SWEENEY, ATTORNEY AT LAW