

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was
prepared by:

R. Shan Paden
PADEN & PADEN
Attorneys at Law
5 Riverchase Ridge, Suite 100
Birmingham, Alabama 35244

SEND TAX NOTICE TO:

DAVID M. PEAT
400 ROCKPORT LANE
BIRMINGHAM, AL 35242

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 TWENTY NINE THOUSAND NINE HUNDRED and 00/100 (\$229,900.00) DOLLARS to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, JOSEPH A. SCARMUZZI and CAROLYN M. SCARMUZZI, HUSBAND AND WIFE (herein referred to as GRANTORS) do grant, bargain, sell and convey unto DAVID M. PEAT and KRISTEN M. PEAT, 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 13, ACCORDING TO THE SURVEY OF COBBLESTONE SQUARE, AS RECORDED IN MAP BOOK 16, PAGE 153, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

SUBJECT TO:

1. TAXES FOR THE YEAR BEGINNING OCTOBER 1, 2002 WHICH CONSTITUTES A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 2003.
2. EASEMENT(S); BUILDING LINE; AND RESTRICTIONS AS SHOWN ON RECORDED MAP.
3. RESTRICTIONS AND COVENANTS APPEARING OF RECORD IN INST. #1993-02851; AMENDED IN INST. #1993-27599; INST. #1993-27600 AND INST. #1993-27600 AND INST. #1994-7759.
4. RIGHT OF WAY GRANTED TO ALABAMA POWER COMPANY RECORDED IN INST. #1993-32007.

\$221,676.00 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 GRANTORS, JOSEPH A. SCARMUZZI and CAROLYN M. SCARMUZZI, HUSBAND AND WIFE, have hereunto set his, her or their signature(s) and seal(s), this the 20th day of December, 2002.

*Joseph A. Scarmuzzi, Acting by and through
His Attorney in Fact, Gail Hutton*

JOSEPH A. SCARMUZZI, ACTING BY AND THROUGH
HIS ATTORNEY IN FACT, GAIL HUTTON

*Carolyn M. Scarmuzzi, Acting by and through
Her Attorney in Fact, Gail Hutton*

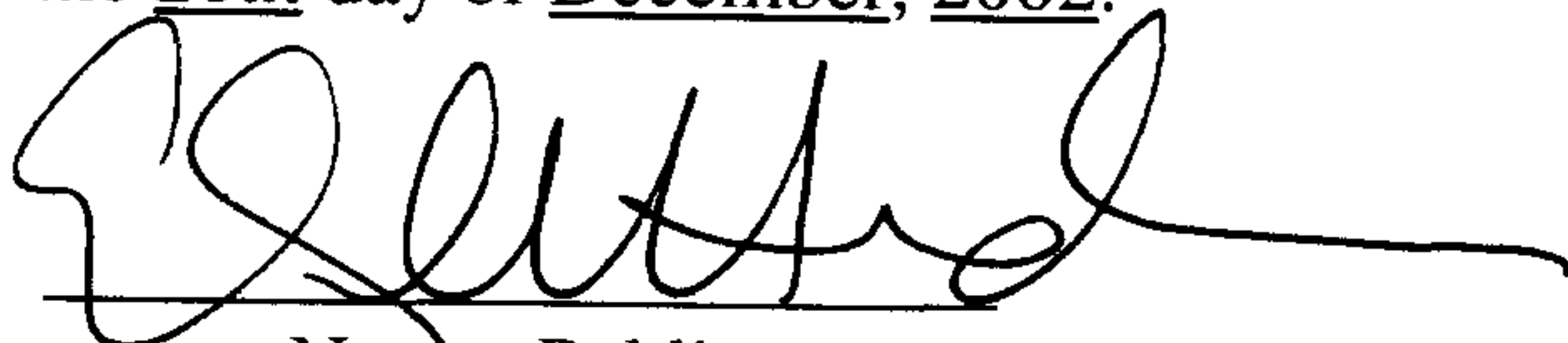
CAROLYN M. SCARMUZZI, ACTING BY AND THROUGH
HER ATTORNEY IN FACT, GAIL HUTTON

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public in and for said State of Alabama at Large, hereby certify that GAIL HUTTON, whose name as Attorney in Fact for JOSEPH A. SCARMUZZI AND CAROLYN M. SCARMUZZI, is signed to the foregoing instrument and who is known to me, acknowledged before me on this date that, being informed of the instrument, she, in her capacity as such Attorney in Fact, and with full authority executed the same voluntarily on the date the same bears date.

Given under my hand this the 20th day of December, 2002.


Notary Public

My commission expires: 10-2-05