

9860

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was prepared by:

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Birmingham, Alabama 35244

SEND TAX NOTICE TO:

MICHAEL A. DAVIS
2315 BIRKSHIRE LANE
HOOVER, AL 35244

STATE OF ALABAMA)
COUNTY OF SHELBY)

**JOINT TENANTS WITH RIGHT OF SURVIVORSHIP
WARRANTY DEED**

Know All Men by These Presents: That in consideration of FOUR HUNDRED TEN THOUSAND DOLLARS and 00/100 (\$410,000.00) to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, JOSEPH T. KASSOUF and TONYA L. KASSOUF, HUSBAND AND WIFE (herein referred to as GRANTORS) do grant, bargain, sell and convey unto MICHAEL A. DAVIS and MARQUITA DAVIS, 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 3804 ACCORDING TO THE SURVEY OF BIRKSHIRE 38TH ADDITION TO RIVERCHASE AS RECORDED IN MAP BOOK 22, PAGE 140, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

SUBJECT TO:

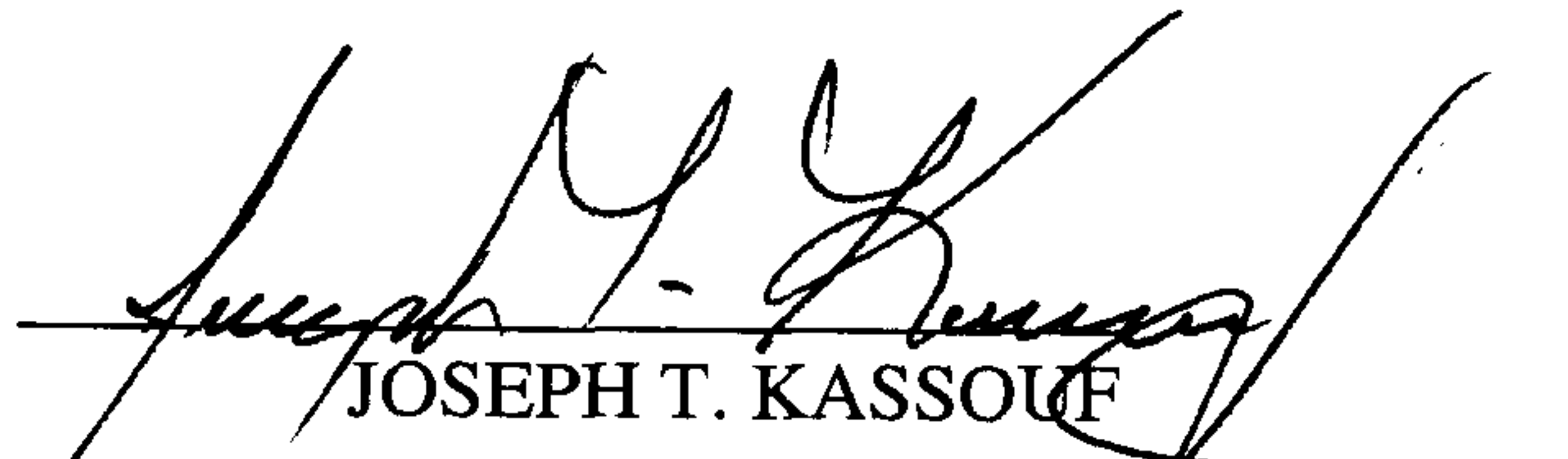
1. TAXES FOR THE YEAR 2002 WHICH CONSTITUTE A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 2003.
2. RIGHT OF WAY GRANTED TO ALABAMA POWER COMPANY BY INSTRUMENT RECORDED IN VOLUME 355, PAGE 274.
3. RIGHTS OF WAY TO CITY OF HOOVER AS RECORDED IN REAL VOLUME 93, PAGE 577.
4. RESTRICTIONS APPEARING OF RECORD IN MISC BOOK 14, PAGE 536 AND AMENDED IN MISC BOOK 17, PAGE 550; INSTRUMENT 1996-2496; BOOK 159, PAGE 111; INSTRUMENT 1994-9826 AND INSTRUMENT 1997-19547.
5. RELEASE OF DAMAGES AS SET OUT IN INSTRUMENT 1996-24956.
6. TITLE TO ALL MINERALS WITHIN AND UNDERLYING THE PREMISES, TOGETHER WITH ALL MINING RIGHTS AND OTHER RIGHTS PRIVILEGES IMMUNITIES AND RELEASE OF DAMAGES RELATING THERETO S RECORDED IN DEED BOOK 127, PAGE 140.
7. CERTIFICATE OF COMPLIANCE IN MISC. BOOK 34, PAGE 549.

\$328,000.00 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 T. KASSOUF and TONYA L. KASSOUF, HUSBAND AND WIFE, have hereunto set his, her or their signature(s) and seal(s), this the 4th day of September, 2003.


JOSEPH T. KASSOUF

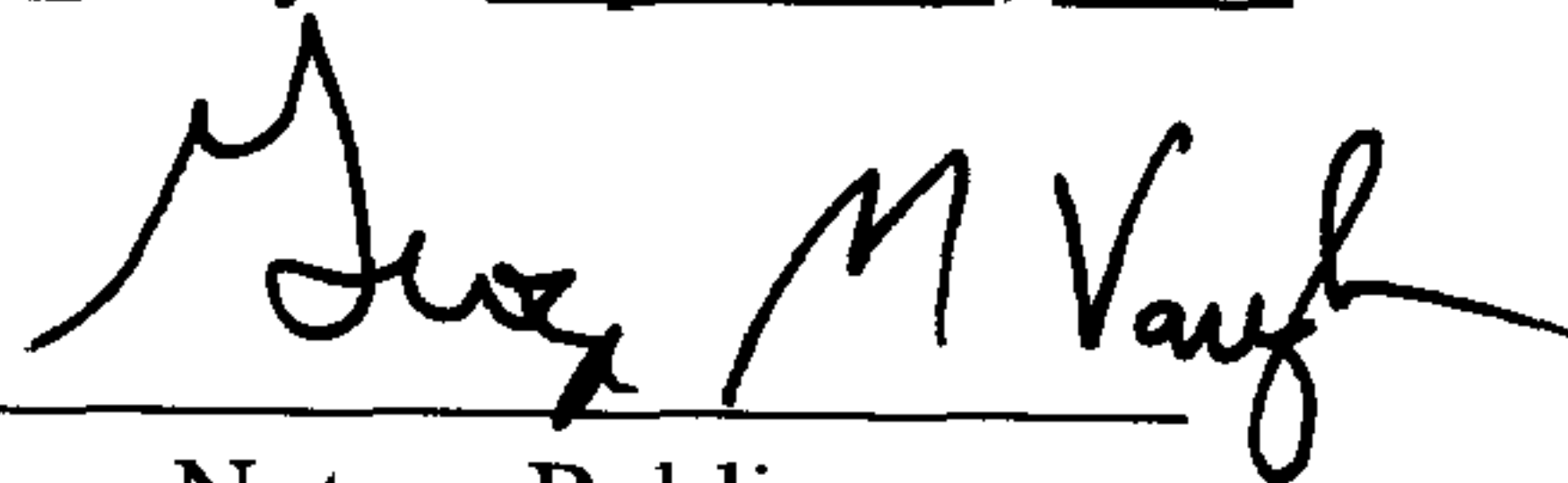

TONYA L. KASSOUF

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that JOSEPH T. KASSOUF and TONYA L. KASSOUF, HUSBAND AND WIFE, 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 4th day of September, 2003.


Notary Public

My commission expires: 9.29.06