

03
10331

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was
prepared by:

SEND TAX NOTICE TO:

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

BRIAN GLENN MCFARLAND
166 GOEL ROAD
BIRMINGHAM, 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 TWO HUNDRED TWENTY EIGHT THOUSAND DOLLARS and 00/100 (\$228,000.00) DOLLARS to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, VINCENT J. AMARO and HILARY HUNT AMARO, HUSBAND AND WIFE (herein referred to as GRANTORS) do grant, bargain, sell and convey unto BRIAN GLENN MCFARLAND and CYNTHIA LAURICE MCFARLAND, 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 1, ACCORDING TO THE SURVEY OF HAVEN RIDGE ESTATES (AMARO SUBDIVISION) AS RECORDED IN MAP BOOK 14, PAGE 109, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA

LESS AND EXCEPT THAT PORTION OF LOT 1 THAT IS SITUATED WITHIN LOT 2 OF THE SAME SUBDIVISION AS SHOWN BY THAT CERTAIN SURVEY PREPARED BY ROBERT C. FARMER DATED NOVEMBER 29, 1992, AND ATTACHED HERETO AND MADE A PART HEREOF. THE EFFECT OF THE FARMER SURVEY MEANS THAT THE LENGTH OF THE SOUTHERN BOUNDARY IS EQUAL TO 119.50' RATHER THAN 125' AND THE LENGTH OF THE NORTHERN BOUNDARY IS EQUAL TO 119.10' RATHER THAN 125' AS SHOWN BY THE RECORDED MAP.

SUBJECT TO:

1. TAXES FOR THE YEAR BEGINNING OCTOBER 1, 2003 WHICH CONSTITUTES A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 2004.
2. 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, AS RECORDED IN DEED BOOK 4, PAGE 384 AND DEED BOOK 17, PAGE 1.
3. RIGHT OF WAY IN FAVOR OF ALABAMA POWER COMPANY AND SOUTH CENTRAL BELL TELEPHONE COMPANY BY INSTRUMENT(S) RECORDED IN REAL VOLUME 386, PAGE 408.

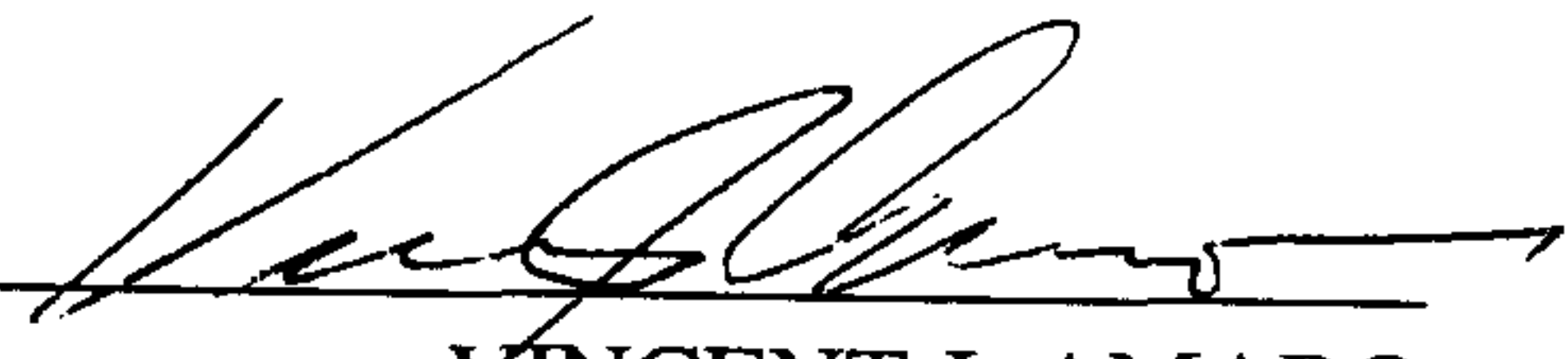
4. RESTRICTIONS AS SHOWN ON RECORDED MAP(S).
5. 50 FOOT BUILDING LINE FROM GOEL DRIVE; A 5 FOOT EASEMENT ALONG THE SOUTHWESTERLY LOT LINE AND NORTHERLY LOT LINE; A 10 FOOT EASEMENT ALONG THE WESTERLY LOT LINE AND A 50 FOOT SETBACK ALONG THE SOUTHERLY PORTION AS SHOWN ON RECORDED MAP.

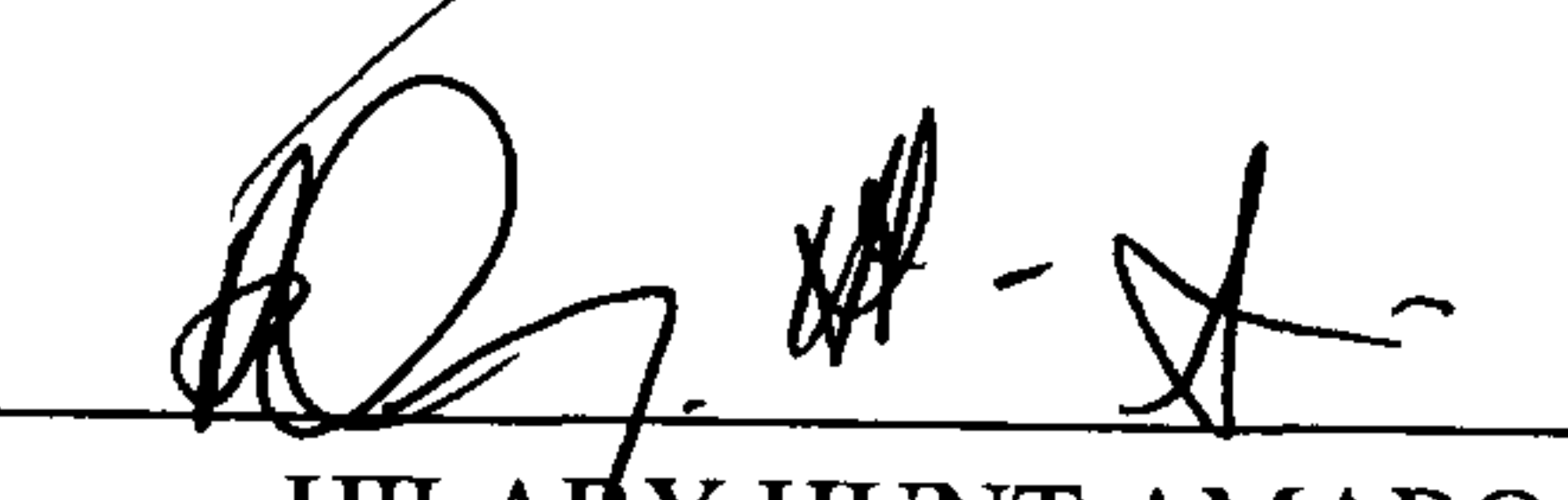
\$182,000.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

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, VINCENT J. AMARO and HILARY HUNT AMARO, HUSBAND AND WIFE, have hereunto set his, her or their signature(s) and seal(s), this the 9th day of January, 2004.


VINCENT J. AMARO

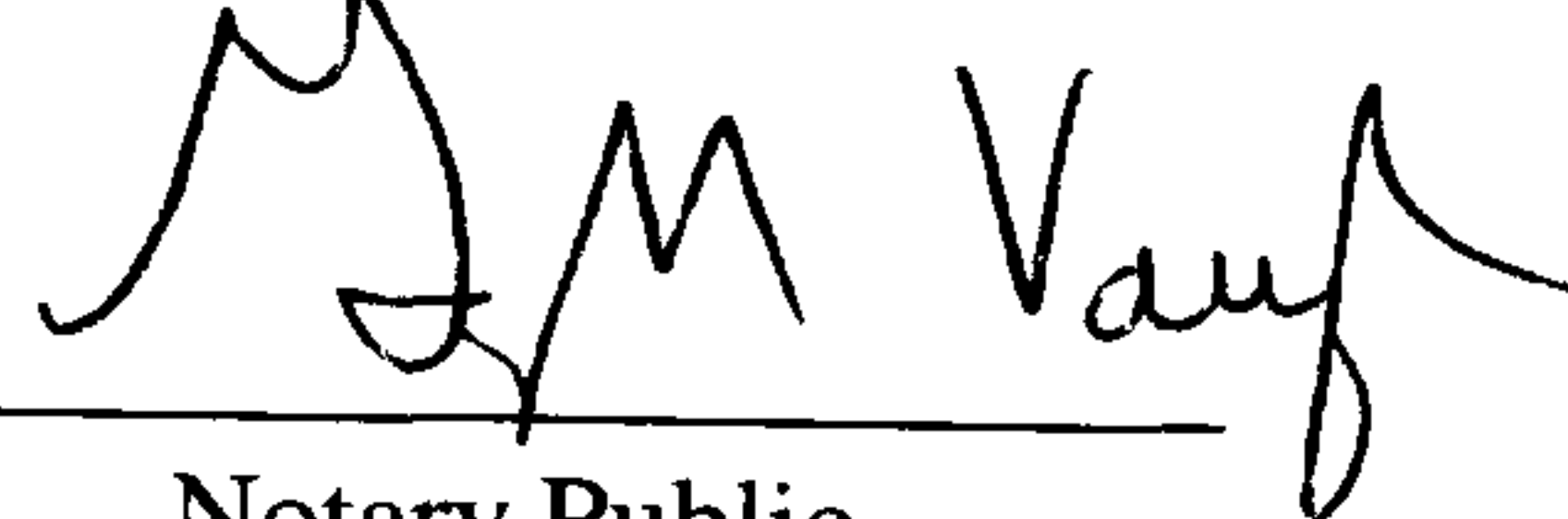

HILARY HUNT AMARO

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGEMENT

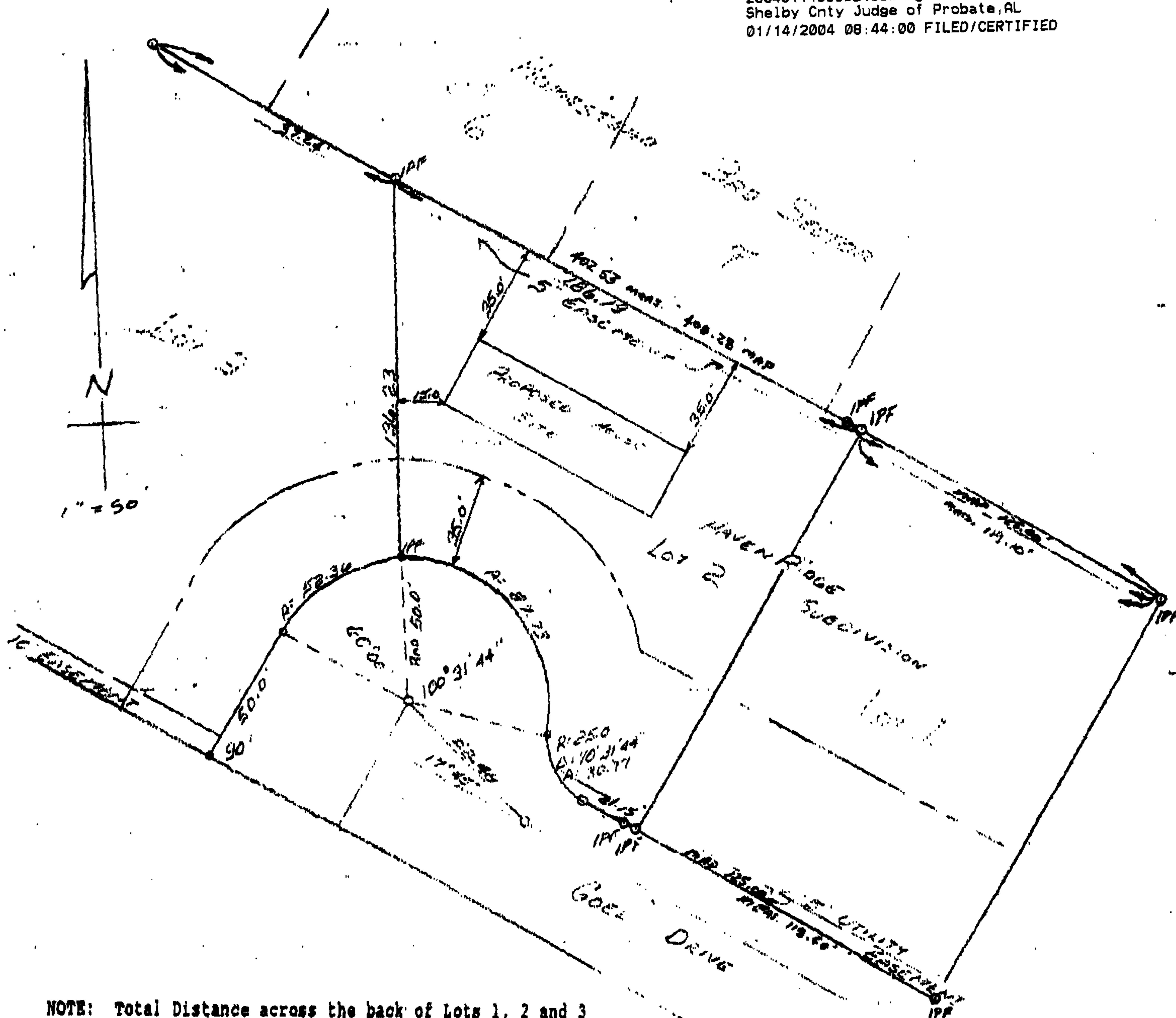
I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that VINCENT J. AMARO and HILARY HUNT AMARO, HUSBAND AND WIFE, whose name(s) is (are) signed to the foregoing conveyance, and who is (are) known to me, acknowledged before me on this day that, being informed of 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 9th day of January, 2004.


Notary Public

My commission expires: 9.29.06

20040114000024850 Pg 3/3 63.00
Shelby Cnty Judge of Probate, AL
01/14/2004 08:44:00 FILED/CERTIFIED



NOTE: Total Distance across the back of Lots 1, 2 and 3 measures 402.53'. It has been agreed upon by owners of Lots 1 and 2 to put all of the shortage in Lot 1.

STATE OF ALABAMA
SHELBY COUNTY

Nov. 25, 1992

I, Robert C. Farmer, a Professional Land Surveyor registered in the State of Alabama, hereby certify that the above is a true and correct map or plat of Lot 2 Block 14 as recorded in Map Book 14 Page 109 in the office of the Judge of Probate of Shelby County, Alabama, and that the buildings now on said lot are within the bounds of same, that there are no visible encroachments, except as shown, and there are no rights-of-ways, easements or joint driveways over or across said land visible on the surface except as shown; that there are no visible electric or telephone wires (except those which serve the premises) or structures or supports therefore including poles, anchors and guy wires, on or over said premises except as shown, and that all parts of this survey and drawing have been completed in accordance with the requirements of the Minimum Technical Standards for the Practice of Land Surveying in the State of Alabama.

* REVISED 11/29/92



Robert C. Farmer
Robert C. Farmer, P.L.S.
Al Reg No 14720

R. C. FARMER & ASSOCIATES, INC.
P. O. Box 1664
Alabaster, Alabama 35007
205-664-2566

This is to certify that I have consulted the Federal Flood Hazard Map for this area and have found that the above described property is not in a special flood hazard area.