

224,000

FRS File No.: 368306

Customer File No.: 1497985

WARRANTY DEED

20040317000135420 Pg 1/2 234.00
Shelby Cnty Judge of Probate, AL
03/17/2004 10:12:00 FILED/CERTIFIED

THE STATE OF Alabama
COUNTY OF Shelby

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KNOW ALL MEN BY THESE PRESENTS: That in consideration of One Hundred and No/100 (\$100.00) DOLLARS and other valuable considerations to the undersigned GRANTOR, in hand paid by the GRANTEE herein, the receipt of which is hereby acknowledged, Lu Ann Via and L. Thomas Via, wife and husband, (herein referred to as GRANTOR), does hereby GRANT, BARGAIN, SELL and CONVEY unto Prudential Residential Services, Limited Partnership, a Delaware Limited Partnership, acting by its General Partner, Prudential Homes Corporation

(herein referred to as GRANTEE), its heirs and assigns,

the following described real estate, situated in the County of Shelby, State of Alabama, to-wit:

Lot 39, together with an undivided 1/43 interest in Lot 44, (common area), according to the Map of The Oaks, recorded in Map Book 10, Page 89, in the Office of the Probate of Shelby County, Alabama.

This conveyance is made subject to any and all easements, restrictions and rights-of-way which appear of record and affect the above-described property.

For ad valorem tax appraisal purposes only, the address of the property is 39 The Oaks Circle, Birmingham, AL 35244, which is the address of the Grantees.

TO HAVE AND HOLD the tract or parcel of land above described, together with improvements and appurtenances thereunto pertaining, unto the said GRANTEE, its heirs and assigns, forever.

AND GRANTOR does covenant with the said GRANTEE, its heirs and assigns, that GRANTOR is lawfully seized in fee simple of the aforementioned premises; that GRANTOR is free from all encumbrances, except as hereinabove provided; that GRANTOR has a good right to sell and convey the same to the said GRANTEE, its heirs and assigns, and that GRANTOR will warrant and defend the premises to the said GRANTEE, its heirs and assigns, forever, against the lawful claims and demands of all persons except as hereinabove provided.

IN WITNESS WHEREOF, GRANTOR has caused this instrument to be executed on this 16th day of October, 2003.

Lu Ann Via (Seal)
Lu Ann Via

L. Thomas Via (Seal)
L. Thomas Via

LAYTON T. SWEENEY, ATTORNEY AT LAW

THE STATE OF Alabama }
COUNTY OF Jefferson

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Lu Ann Via married to L. Thomas Via (fill in marital status) whose name 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, she executed the same voluntarily on the day the same bears date.

GIVEN under my hand and seal this the 16th day of October, 2003.

Elizabeth B. Joiner (Seal)
Notary Public Elizabeth B. Joiner
Exp. 4/29/06

THE STATE OF Alabama }
COUNTY OF Jefferson

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that L. Thomas Via married to Lu Ann Via (fill in marital status) whose name 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 executed the same voluntarily on the day the same bears date.

GIVEN under my hand and seal this the 16th day of October, 2003.

Elizabeth B. Joiner (Seal)
Notary Public Elizabeth B. Joiner
Exp. 4/29/06

This document prepared by: Denise McCall, Document Services Consultant, 10010 San Pedro, Suite 800, San Antonio, TX 78216