

Shelby County, AL 06/16/2008
State of Alabama

Deed Tax: \$90.00

Send Tax Notice To:
James Killingsworth
255 Wynlake Drive
Alabaster, Alabama 35007

This instrument was prepared by:

Laurie Boston Sharp,
ATTORNEY AT LAW, LLC
P. O. Box 567
Birmingham, AL 35007

Statutory Warranty Deed

STATE OF ALABAMA)

KNOW ALL MEN BY THESE PRESENTS,

COUNTY OF SHELBY)

THAT IN CONSIDERATION OF EIGHTY-NINE THOUSAND NINE HUNDRED and NO/100 DOLLARS (\$89,900.00) paid to the undersigned Grantor, in hand paid by the Grantee herein, the receipt of which is hereby acknowledged, **M & A INVESTMENTS, LLC**, an Alabama limited liability company (herein referred to as Grantor), does grant, bargain, sell and convey unto **JAMES R. KILLINGSWORTH**, (herein collectively referred to as Grantee), the following described real estate (herein referred to as the Property), situated in the State of Alabama, County of Shelby, to-wit:

LOT 5, ACCORDING TO THE SURVEY OF FOX VALLEY HIGHLANDS, AS RECORDED IN MAP BOOK 39, PAGES 14A and 14B IN THE OFFICE OF THE JUDGE OF PROBATE OF SHELBY COUNTY, ALABAMA

THIS INSTRUMENT IS EXECUTED AS REQUIRED BY THE ARTICLES OF ORGANIZATION AND OPERATING AGREEMENT OF GRANTOR AND SAME HAVE NOT BEEN MODIFIED OR AMENDED.

The above Property is conveyed subject to:

1. ad valorem and similar taxes for 2008 and subsequent years;
2. Easements, right of ways, restrictions, reservations, conditions and building lines as shown on recorded map;
3. All valid and enforceable easements, covenants, conditions and restrictions of record, including, without limitation, that certain Declaration of Protective Covenants for Fox Valley Highlands, A Residential Subdivision, as recorded in Instrument #20070907000422030 in the Probate Office of Shelby County, Alabama and Amended in Instrument # 20080610000237060;
4. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges, and immunities relating thereto, together with any release of liability for injury or damage to persons or property as a result of the exercise of such rights, including but not limited to gas, oil, sand and gravel, in, on

- and under subject property; and
5. Any and all matters of record.

TO HAVE AND TO HOLD unto the said Grantees as joint tenants with rights 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 survives the other, the entire interest in fee simple shall be owned by the surviving Grantee, and if one does not survive the other, then the heirs and assigns of the Grantees shall take as tenants in common.

Grantor makes no warranty or covenant respecting the nature of the quality of the title to the property hereby conveyed other than that the Grantor has neither permitted nor suffered any lien, encumbrance or adverse claim to the property described herein since the date of acquisition thereof by the Grantor.

IN WITNESS WHEREOF, the undersigned said Grantor, has executed this conveyance on this the 13th day of June, 2008.

M & A INVESTMENTS, LLC,
an Alabama limited liability company

By: _____

Kenneth R. Carter
Its: Member

STATE OF ALABAMA)
COUNTY OF SHELBY)

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that KENNETH R. CARTER, whose name as Member of M & A Investments, LLC, an Alabama limited liability company, 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, in his capacity as such member and with full authority, executed the same voluntarily for said company on the day the same bears date.

Given under my hand and official seal this 13th day of June, 2008.

Carol M. Kimbrough
NOTARY PUBLIC
My commission expires: 2-2-09