

RE-RECORDED DEED

Prepared by: Trimmer and Associates, P.C. 22 Inverness Center Parkway,  
Suite 210, Birmingham, Alabama 35242

Send Tax Notice To: DAVID M. VARNER AND WIFE, BARBARA S. VARNER  
4124 ASHINGTON DRIVE, BIRMINGHAM, ALABAMA 35242

WARRANTY DEED, JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

STATE OF ALABAMA)  
COUNTY OF SHELBY)

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of TWO HUNDRED SIXTY THOUSAND AND NO/100  
(\$260,000.00) Dollars to the undersigned Grantor, a corporation, in hand paid by  
the GRANTEES herein, the receipt of which is hereby acknowledged, WILLIAM J.  
ACTON CONSTRUCTION, INC., a corporation (herein referred to as GRANTOR,) do  
grant, bargain, sell and convey unto, DAVID M. VARNER AND WIFE, BARBARA S.  
VARNER (herein referred to as GRANTEES) as joint tenants, with right of  
survivorship, the following described real estate situated in SHELBY County,  
Alabama, to-wit:

\*\*RE-RECORDED TO CORRECT DATE OF EXECUTION FROM APRIL 26, 1990 TO APRIL 26, 1991

LOT 191, ACCORDING TO THE SURVEY OF BROOK HIGHLAND, AN EDDLEMAN COMMUNITY, 6TH  
SECTOR, 1ST PHASE, AS RECORDED IN MAP BOOK 14, PAGE 83 AND 83 A, AS RECORDED IN  
THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

- (1) Subject to property taxes for the current year.
- (2) Subject to easements, restrictions, covenants and conditions, if any.
- (3) Subject to mineral and mining rights.
- (4) Covenants releasing predecessors in title from any liability arising from  
sinkholes, limestone formations, soil conditions or any other known or  
unknown surface or subsurface conditions that may now or hereafter exist or  
occur or cause damage to subject property, as shown by survey of  
subdivision, recorded in Map Book 12, Page 62 A & B, Map Book 12, Page 63 A  
& B, Map Book 12, Page 64A & B, Map Book 13, Page 36, Map Book 13, Page 99 A  
& B, and Map Book 14, Page 71, and Map Book 14, Page 83, in said probate  
Office.

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 the GRANTOR does for itself and for its successors and assigns covenant  
with said GRANTEES, their heirs and assigns, that it is lawfully seized in fee  
simple of said premises; that they are free from all encumbrances unless  
otherwise noted above; that it has a good right to sell and convey the same as  
aforesaid; that it will, and its successors and assigns shall warrant and defend  
the same to the said Grantees, their heirs and assigns forever, against the  
lawful claims of all persons.

IN WITNESS WHEREOF, the said corporation by its President  
who is authorized to execute this conveyance, has hereto set its signature and  
seal, this 26TH day of APRIL, 1991

STATE OF ALA. SHELBY CO.  
I CERTIFY THIS  
INSTRUMENT WAS FILED

91 APR 30 PM 1:03

WILLIAM J. ACTON CONSTRUCTION, INC.

By: William J. Acton (SEAL)  
WILLIAM J. ACTON, PRESIDENT

STATE OF ALABAMA)  
COUNTY OF SHELBY)

JUDGE OF PROBATE

I, the undersigned, a Notary Public in and for said County, in said State,  
heraby certify that WILLIAM J. ACTON, whose name as PRESIDENT of WILLIAM J.  
ACTON CONSTRUCTION, INC., a corporation, 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 foregoing conveyance, he, as such officer and with full  
authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand this 26TH day of APRIL, 1991

My Commission Expires 10/29/94

Notary Public

NO TAX COLLECTED INSTRUMENT WAS FILED

Rec 2.50  
Jud 3.00  
Cert 1.00  
NoTAX 1.00  
7.50

91 JUL 10 AM 10:52

Re-Rec  
JUDGE OF PROBATE

1 Deed Tax 260.00  
2 Not. Tax 3.00  
3 Recording Fee 3.00  
4 Instrument Fee 3.00  
5 Not. Fee 1.00  
6 Total 270.00