

This Instrument Was Prepared By:

SEND TAX NOTICE TO:

Frank K. Bynum, Esquire  
#17 Office Park Circle  
Birmingham, Alabama 35223

Frank Johnson  
2106 Chandabrook Drive  
Pelham, AL 35124

PARCEL# 58-11-7-36-4-001-048-038

STATE OF ALABAMA )  
COUNTY OF SHELBY)

KNOW ALL MEN BY THESE PRESENTS,

That in consideration of ONE HUNDRED TEN THOUSAND FIVE HUNDRED AND NO/100 DOLLARS (\$110,500.00), to the undersigned grantors in hand paid by the Grantees herein, the receipt of which is hereby acknowledged, **ERIC PAUL WEST, an unmarried man, and JUDITH R. WEST, an unmarried woman,** (herein referred to as Grantors) do grant, bargain, sell and convey unto **FRANK JOHNSON AND SHARON G. JOHNSON** (herein referred to as Grantees), as tenants in common with equal rights and interest for the period or term that the said Grantees shall both survive, and unto the survivor of the said Grantees, at the death of the other, and to the heirs and assigns of such survivor in fee simple forever, such tenancy expressly intended to create co-tenants in common for life with a contingent remainder in fee in favor of the survivor of the said Grantees, the following described real estate, situated in the State of Alabama, County of , to-wit:

Lot 5, according to the Survey of Chaparral Third Sector, as recorded in Map Book 8, page 165, in the Office of the Judge of Probate of Shelby County, Alabama.

Subject to existing easements, restrictions, set back lines, rights of ways, limitations, if any, of record.

\$104,950.00 of the purchase price recited above was paid from a mortgage loan closed simultaneously herewith.

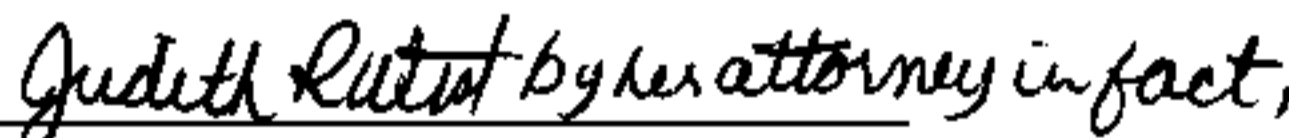
By the execution and delivery of this Deed, Grantors and Grantees acknowledge that it is not their intention to create a joint tenancy with right of survivorship, but, on the contrary it is their intention to create and they do hereby create a form of concurrent ownership in property as tenants in common during the respective lives of the Grantees, with cross-contingent remainders in fee to and in favor of the survivor, and to the heirs and assigns of such survivor, which interest so created in the Grantees are indestructible by the act of one of the Grantees.

And we do for ourselves and for our heirs, executors, and administrators covenant with said Grantees, their heirs and assigns, that we are lawfully seized in fee simple of said premises, that they are free from all encumbrances, unless otherwise noted above; that we have a good right to sell and convey the same as aforesaid; that we will and our heirs, executors and administrators shall, warrant and defend the same to the said Grantees, their heirs, and assigns forever, against the lawful claims of all persons.

TO HAVE AND TO HOLD to the said Grantees, as tenants in common and with equal rights and interest for the period or term that the said Grantees shall both survive, and unto the survivor of the said Grantees, at the death of the other and to the heirs and assigns of such survivor in fee simple forever, such tenancy expressly intended to create co-tenants in common for life with a contingent remainder in fee in favor of the survivor of the Grantees,

IN WITNESS WHEREOF, we have hereunto set our hands and seal, this 3rd day of June, 1994.

  
ERIC PAUL WEST

  
JUDITH R. WEST, by her Attorney in Fact,  
Eric Paul West

STATE OF ALABAMA )  
COUNTY OF JEFFERSON )

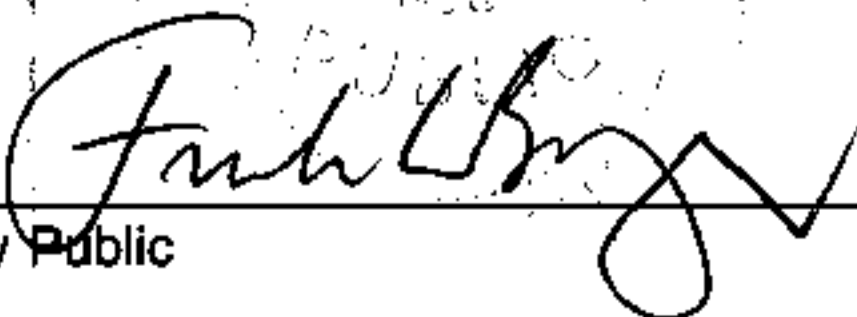


I, the undersigned, a Notary Public in and for said county, in said state, hereby certify that ERIC PAUL WEST, an unmarried man, individually and as Attorney-in-Fact for JUDITH R. WEST, an unmarried woman, whose name is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of this instrument, executed the same voluntarily, individually and acting within the scope and power of said power of attorney, in his capacity as Attorney-in-Fact for JUDITH R. WEST on the day the same bears date.

Given under my hand and seal this the 3rd day of June, 1994.

Inst # 1994-19002

06/14/1994-19002  
12:21 PM CERTIFIED  
My Commission Expires 1/20/96  
001 MCD 14.50

  
Notary Public

Inst # 1994-19002