

THIS INSTRUMENT PREPARED BY:
MAYNARD, COOPER & GALE, P.C.
1901 Sixth Avenue North
2400 AmSouth/Harbert Plaza
Birmingham, AL 35203

SEND TAX NOTICE TO:
ALLEN E. RICE
815 St. Charles Lane
Helena, Alabama 35080

WARRANTY DEED, JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

STATE OF ALABAMA
COUNTY OF SHELBY

KNOW ALL MEN BY THESE PRESENTS,

That in consideration of ONE HUNDRED THIRTY EIGHT THOUSAND FIVE HUNDRED AND NO/100 Dollars (\$ 138,500.00) to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt whereof is acknowledged, we, DALE L. BERGER and wife, CATHERINE E. BERGER, (herein referred to as GRANTORS) do grant, bargain, sell and convey unto ALLEN E. RICE AND BARBARA A. RICE (herein referred to as GRANTEES) as joint tenants, with right of survivorship, the following described real estate situated in Shelby County, Alabama, to-wit:

Lot 16-A, according to a Resurvey of Lots 15 and 16, St. Charles Place as recorded in Map Book 17, Page 36, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

SUBJECT TO: All easements, restrictions, reservations, and rights of way appearing of record affecting the subject property.

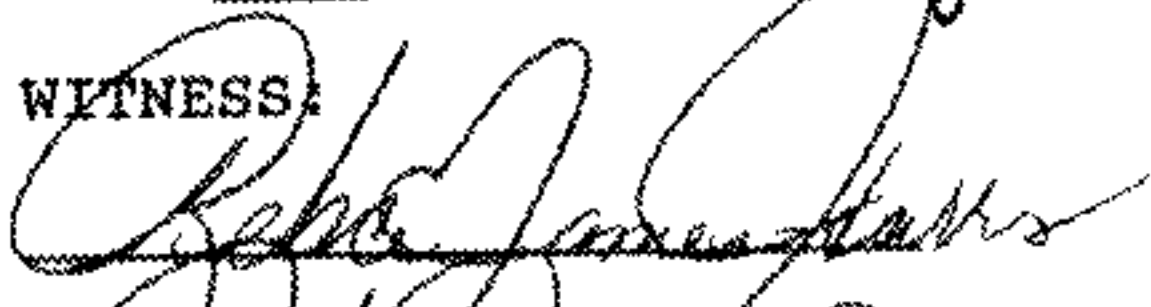
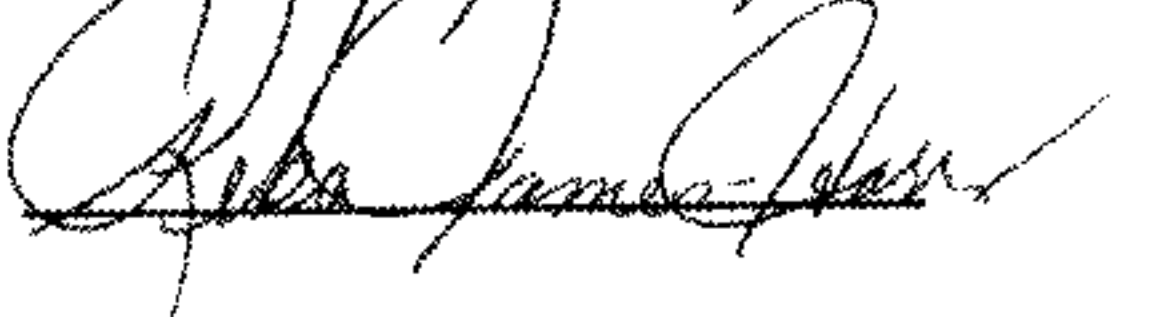
\$ 124,650.00 of the total consideration recited above was paid from the proceeds of a mortgage loan closed simultaneously herewith.


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 we do for ourselves and for our heirs, executors, and administrators covenant with the said GRANTEES, their heirs and assigns, that we are lawfully seized in fee simple of said premises; that it is 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.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this 4th day of August, 1994.

WITNESS:

 (SEAL)
DALE L. BERGER

 (SEAL)
CATHERINE E. BERGER

08/29/1994-26602
08:42 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 MCB 25.00

Inst # 1994-26602

STATE OF Alabama
COUNTY OF Jefferson

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that DALE L. BERGER and wife, CATHERINE E. BERGER, whose names are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 4th day of August, 1994.

Reba James Walker
NOTARY PUBLIC

My Commission Expires: 9/22/94

(SEAL)

Inst # 1994-26602

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