

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was
prepared by:

R. Shan Paden
PADEN & PADEN
Attorneys at Law
100 Concourse Parkway, Suite 130
Birmingham, Alabama 35244

SEND TAX NOTICE TO:

JIMMY CRAIG CARTER
5528 DOUBLE OAK LANE
BIRMINGHAM, AL 35242

Inst # 1995-08799

STATE OF ALABAMA)

COUNTY OF SHELBY)

JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

WARRANTY DEED

Know All Men by These Presents: That in consideration of ONE HUNDRED SEVENTY FIVE THOUSAND and 00/100 (\$175,000.00) DOLLARS to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, DAVID LARRY FAGAN and BONNIE HACKETT FAGAN (herein referred to as GRANTORS) do grant, bargain, sell and convey unto JIMMY CRAIG CARTER and ZILLAH THOMPSON CARTER, HUSBAND AND WIFE, (herein referred to as GRANTEES, as joint tenants, with right of survivorship, whether one or more) the following described real estate, situated in SHELBY County, Alabama, to-wit:

LOT 15, IN BLOCK 1, ACCORDING TO CHEROKEE FOREST, FIRST SECTOR SUBDIVISION, AS RECORDED IN MAP BOOK 5, PAGE 17, IN THE OFFICE OF THE JUDGE OF PROBATE OF SHELBY COUNTY, ALABAMA.

SUBJECT TO:

1. Subject to the taxes for the year beginning October 1, 1994 which constitutes a lien but are not yet due and payable until October 1, 1995.
2. Restrictions appearing of record in Deed Book 243, page 25 and amended in Deed Book 263, page 172 and Instrument #1994-36830.
3. Right of Way granted to Alabama Power Company by instrument(s) recorded in Deed Book 124, page 484; and Deed Book 243, page 761.
4. 50 foot building line from Forest View Drive; 15 foot easement along West lot line; 7.5 foot easement along South lot line; 15 foot easement across Southwest portion of subject property, said easement being vacated by instrument recorded in Instrument #1994-36830; as shown on recorded map.

\$166,250.00 of the consideration herein was derived from a mortgage 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.

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SHELBY COUNTY JUDGE OF PROBATE
002 MCD 20.00

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

IN WITNESS WHEREOF, the said GRANTORS, DAVID LARRY FAGAN and BONNIE HACKETT FAGAN, have hereunto set his, her or their signature(s) and seal(s), this the 24th day of March, 1995.


DAVID LARRY FAGAN

Bonnie Hackett Fagan, Acting by and through her attorney in fact, David Larry Fagan
BONNIE HACKETT FAGAN, ACTING
BY AND THROUGH HER ATTORNEY IN
FACT, DAVID LARRY FAGAN

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that DAVID LARRY FAGAN, whose name(s) is (are) signed to the foregoing conveyance, and who is (are) known to me, acknowledged before me on this day that, being informed of the contents of the conveyance he, she, or they executed the same voluntarily on the day the same bears date.

Given under my hand this the 24th day of March, 1995.



Notary Public

My commission expires: 7/16/98

Not # 1995-08799

04/05/1995-08799

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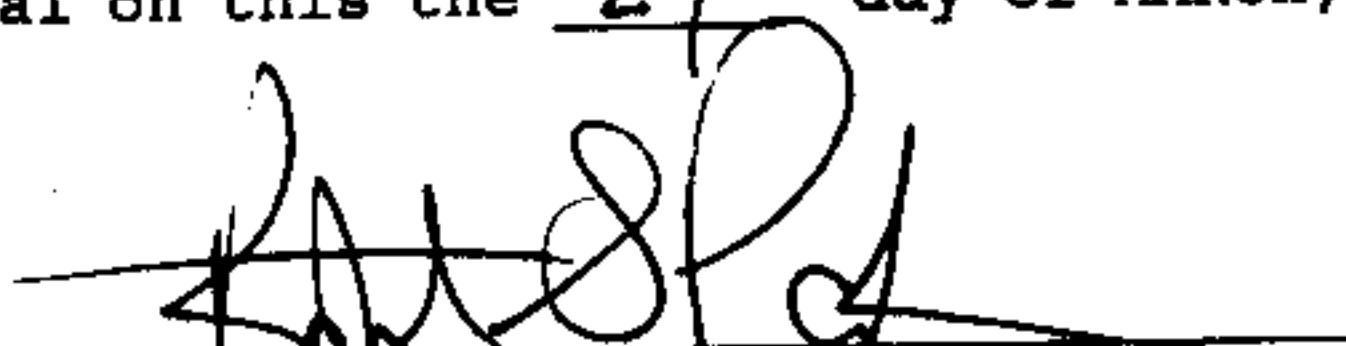
SHELBY COUNTY JUDGE OF PROBATE

002 MCD 20.00

THE STATE OF ALABAMA
SHELBY COUNTY

I, the undersigned, a Notary Public in and for said State of Alabama at Large, hereby certify that DAVID LARRY FAGAN, whose name as Attorney in Fact for BONNIE HACKETT FAGAN, is signed to the foregoing conveyance and who is known to me, acknowledged before me that this date that, being informed of the conveyance, he, in her capacity as such Attorney in Fact, and with full authority executed the same voluntarily on the date the same bears date.

Given under my hand and seal on this the 24 day of MARCH, 1995.


NOTARY PUBLIC

MY COMMISSION EXPIRES: 7/16/98