

WARRANTY DEED with JOINT SURVIVORSHIP

This Instrument Was Prepared By:

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

SEND TAX NOTICE TO:

David A. McLain  
6225 Cahaba Valley Road  
Birmingham, AL 35242

STATE OF ALABAMA )

COUNTY OF SHELBY )

KNOW ALL MEN BY THESE PRESENTS,

That in consideration of FIVE HUNDRED THREE THOUSAND SIX HUNDRED SIXTY SIX AND NO/100 DOLLARS (\$503,666.00), to the undersigned grantors in hand paid by the Grantees herein, the receipt of which is hereby acknowledged, **CLINTON JANECEK AND WIFE, CASSANDRA W. JANECEK** (herein referred to as Grantors) do grant, bargain, sell and convey unto **DAVID A. MCLAIN AND PAMELA F. MCLAIN** (herein referred to as Grantees), as joint tenants, with right of survivorship, the following described real estate, situated in the State of Alabama, County of SHELBY, to-wit:

SEE EXHIBIT "A" FOR LEGAL DESCRIPTION

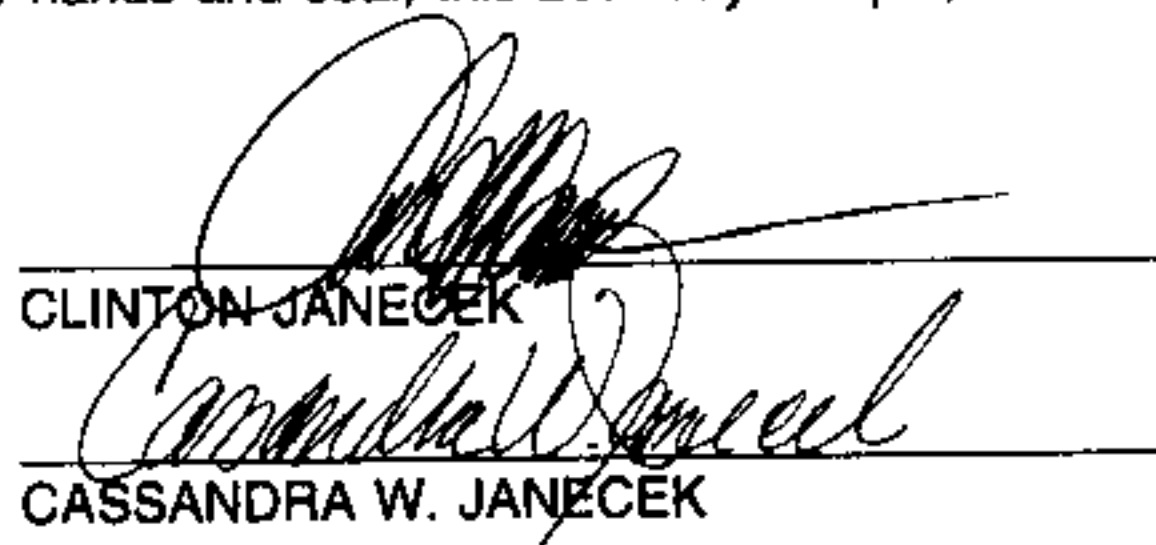
Subject to existing easements, restrictions, set back lines, rights of ways, limitations, if any, of record.

\$300,000.00 of the purchase price recited above was paid from 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 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 my heirs, executors and administrators shall, warrant and defend the same to the said Grantees, their heirs, and assigned forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, we have hereunto set our hands and seal, this 20th day of April, 1995.

  
CLINTON JANECEK

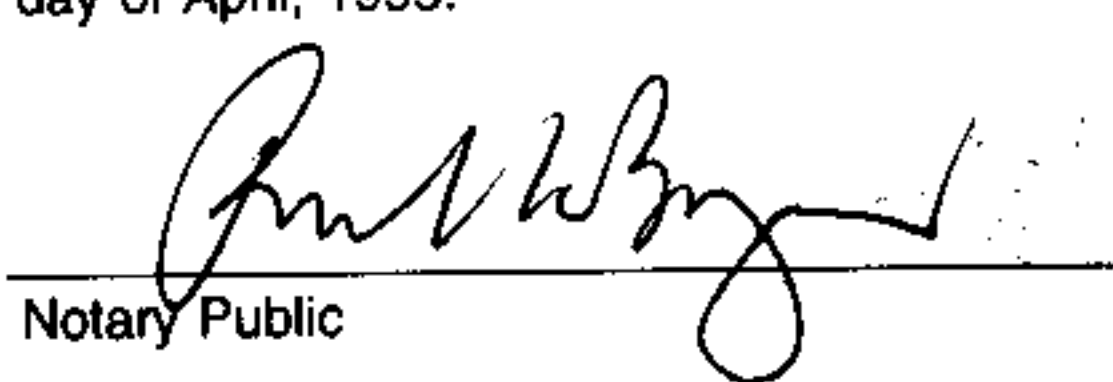
CASSANDRA W. JANECEK

STATE OF ALABAMA )  
COUNTY OF JEFFERSON )

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that **CLINTON JANECEK AND WIFE, CASSANDRA W. JANECEK**, 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 the 20th day of April, 1995.

My Commission Expires: 11/20/96

  
Notary Public

zjanecek

Inst # 1995-10674

04/25/1995-10674  
12:09 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 MCD 215.00

Inst # 1995-10674

THIS LEGAL DESCRIPTION IS HEREBY MADE A PART OF THAT CERTAIN DEED  
FROM CLINTON JANECEK AND CASSANDRA W. JANECEK TO DAVID A. MCLAIN AND  
PAMELA F. MCLAIN DATED APRIL 20, 1995.

EXHIBIT "A"

A parcel of land located in the Southwest 1/4 of the Southwest 1/4 of Section 7, Township 19 South, Range 1 West, Shelby County, Alabama, more particularly described as follows:

Commence at the Southwest corner of the SW 1/4 of the SW 1/4 of Section 7, Township 19 South, Range 1 West; thence run North along the West Section line a distance of 312.57 feet; thence 87 degrees 53 minutes 40 seconds right a distance of 278.28 feet to the point of beginning; thence continue along same course Easterly a distance of 682.69 feet to an iron pin set; thence 79 degrees 00 minutes 04 seconds left a distance of 325.00 feet to an iron pin set; thence 100 degrees 59 minutes 56 seconds left a distance of 682.69 feet to an iron pin; thence 79 degrees 00 minutes 04 seconds left a distance of 325.00 feet to an iron pin set and the point of beginning; being situated in Shelby County, Alabama.

Commence at the NW corner of the NW 1/4 of the SW 1/4 of Section 7, Township 19 South, Range 1 West, Shelby County, Alabama, thence continue South along said Section line 1014.00 feet; thence 90 degrees right 127.60 feet to the intersection of the centerline of Alabama Highway 119 and the centerline of said driveway being the point of beginning; thence 138 degrees 06 minutes 29 seconds left, 315.28 feet; thence 8 degrees 44 minutes 30 seconds right, 154.93 feet; thence 9 degrees 03 minutes 20 seconds right, 374.42 feet; thence 110 degrees 43 minutes 58 seconds left, 680.00 feet; thence 22 degrees 29 minutes 51 seconds right, 235.86 feet; thence 20 degrees 07 minutes 39 seconds right, 140.00 feet; thence 4 degrees 28 minutes 35 seconds right, 61.34 feet; thence 1 degree 20 minutes 41 seconds right, 120.00 feet; thence 38 seconds 40 minutes right, 150.00 feet; thence 58 degrees 10 minutes right, 120.00 feet; thence 21 degrees 10 minutes right, 310.00 feet; thence 15 degrees 20 minutes right, 470.00 feet; thence 13 degrees 50 minutes left, 230 feet to the point of ending.

Minerals and mining rights excepted.

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