

PREPARED BY: CU LENDING, INC., 22 Inverness Center Parkway, Suite 210, Birmingham, Alabama 35242

SEND TAX NOTICE TO: MALCHOM B. HARPER, JR. AND MARTHA J. HARPER
1031 RIVER HIGHLANDS CIRCLE, HOOVER, ALABAMA 35244

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 FORTY THOUSAND AND NO/100 DOLLARS (\$240,000.00), to the undersigned Grantor or Grantors, in hand paid by the GRANTEES herein, the receipt of which is hereby acknowledged, I (We), DAVID FOWLER, A SINGLE MAN (herein referred to as GRANTOR, whether one or more) do grant, bargain, sell and convey unto, MALCHOM B. HARPER, JR. AND MARTHA J. HARPER (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 41, ACCORDING TO THE SURVEY OF RIVER HIGHLANDS, AS RECORDED IN MAP BOOK 19, PAGE 111, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

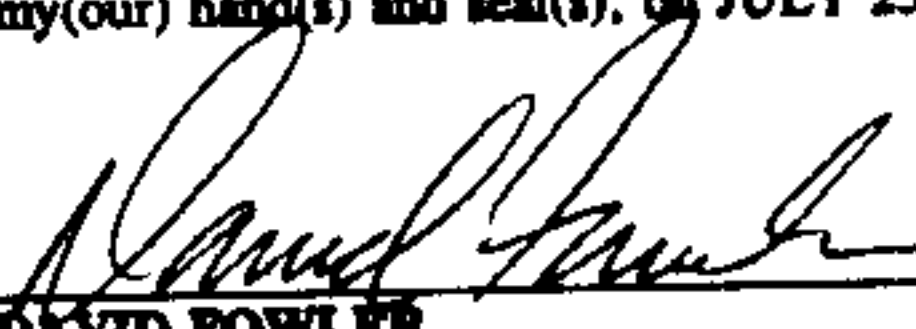
MARTHA J. HARPER IS ONE AND THE SAME PERSON AS MARTHA AYRES.

- (1) Subject to property taxes for the current year.
- (2) Subject to easements, restrictions, covenants and conditions, if any.
- (3) Subject to Title to all oil, gas and minerals within and underlying the premises, together with all oil and mining rights and other rights, privileges and immunities relating thereto, together with any release of liability for injury or damage to persons or property as a result of the exercise of such rights as recorded in Volume 111, Page 625, Volume 121, Page 294 and Volume 235, Page 552.
- (4) Subject to Covenants, conditions and restrictions (deleting therefrom, any restrictions indicating any preference, limitation or discrimination based on race, color, religion, sex, handicap, family status or national origin) as set forth in the document recorded in Map Book 19, Page 111, Instrument No. 1995-6139 and Instrument No. 1995-25323 in the official records of Shelby County.
- (5) Subject to Perpetual Easement as recorded in Instrument No. 1995-08299.
- (6) Subject to Building and setback lines of 35' as recorded in Map Book 19, Page 111.
- (7) Subject to Easement of 10' along side and rear lot line as recorded in Map Book 19, Page 111.
- (8) Subject to Release of damages as recorded in Instrument No. 1995-15323.
- (9) Subject to Easement Agreement as recorded in Instrument No. 1995-25323.

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 I (we) do for myself(ourselves) and for my(our) heirs, executors and administrators covenant with said GRANTEES, their heirs and assigns, that I(we) am(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, their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, I(we) have hereunto set my(our) hand(s) and seal(s), on JULY 25, 1996.


DAVID FOWLER

STATE OF ALABAMA)
COUNTY OF SHELBY)

I, the undersigned authority, a Notary Public, in and for said County in said State, hereby certify that DAVID FOWLER, A SINGLE MAN, 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 said conveyance, (s)he (they) executed the same voluntarily on the date the same bears date.

Given under my hand and official seal on JULY 25, 1996.

My commission expires:

1/20/99


Notary Public



07/30/1996-24581
12:47 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
001 NC 249.50