

This instrument prepared by:
John N. Randolph, Attorney
Srote & Permutt P.C.
2222 Arlington Avenue
Birmingham, Alabama 35205

Send Tax Notice to:
John Hilton Elmore
Rosemary Daughtry Elmore
408 Saint Anns Drive
Birmingham, Alabama 35244

WARRANTY DEED, Joint Tenants with Right of Survivorship

State of Alabama

KNOW ALL MEN BY THESE PRESENTS,

Shelby County

That in consideration of Three Hundred Five Thousand and 00/100 (\$305,000.00) Dollars to the undersigned grantor in hand paid by the GRANTEES herein, the receipt whereof is acknowledged, I, Karon Brooks, unmarried (herein referred to as grantor) do grant, bargain, sell and convey unto John Hilton Elmore and Rosemary Daughtry Elmore (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 4, according to the Map and Survey of Heatherwood, 2nd Sector, as recorded in Map Book 8, Page 28, in the Probate Office of Shelby County, Alabama.
Minerals and mining rights excepted.

Subject to:


1. Ad valorem taxes for the current tax year which grantees herein assume and agree to pay.
2. Restrictions appearing of record in Misc. Book 37, Page 537.
3. Right-of-way granted Alabama Power Company recorded in Deed Book 318, Page 16 and Deed Book 337, Page 257.
4. Agreement with Alabama Power Company as to underground cables as recorded in Misc. Book 39, page 980 and covenants pertaining thereto as recorded in Misc. Book 39, Page 981.

\$305,647.32 of the purchase price 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 I do for myself and for my heirs, executors, and administrators covenant with the said GRANTEES, their heirs and assigns, that I am lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that I have a good right to sell and convey the same as aforesaid; that I will and my 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.

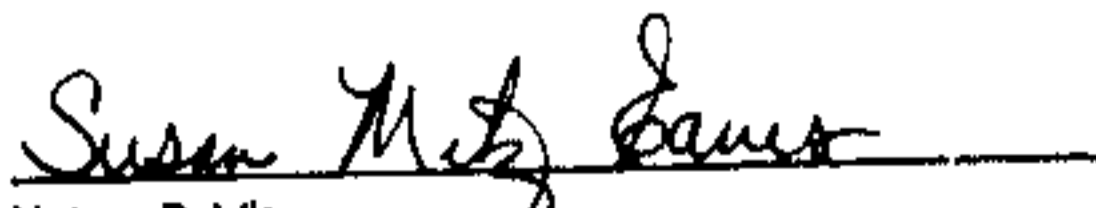
IN WITNESS WHEREOF, I have hereunto set my hand and seal this 12th of August, 1996.


Karon Brooks (Seal)
Karon Brooks

STATE OF ALABAMA
JEFFERSON COUNTY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Karon Brooks, unmarried whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, he/she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 12th day of August, 1996.


Notary Public
Affix Seal

08/16/1996-26717
02:29 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
001 MCD 9.50

Inst # 1996-26717