

This instrument was prepared by:
Clayton T. Sweeney, Attorney
2700 Hwy. 280E, Suite 290E
Birmingham, AL 35223

SEND TAX NOTICE TO:
JAMES JOSEPH MOYNIHAN
DAWN B. MOYNIHAN
8243 Castlehill Road
Birmingham, AL 35242

Inst # 1996-30606

STATE OF ALABAMA)
COUNTY OF SHELBY)

09/17/1996-30606
09:34 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
001 MCD 127.50

Corporation Form Deed/TLW/ROS

KNOW ALL MEN BY THESE PRESENTS, That in consideration of FIVE HUNDRED NINETY-THREE THOUSAND DOLLARS AND NO/100's (\$593,000.00) to the undersigned grantor, WHITCOMB CONSTRUCTION, INC., a corporation, (herein referred to as GRANTOR), in hand paid by the GRANTEEES herein, the receipt of whereof is acknowledged, the said GRANTOR does by these presents grant, bargain, sell, and convey unto JAMES JOSEPH MOYNIHAN and DAWN B. MOYNIHAN (herein referred to as GRANTEEES) as joint tenants, with right of survivorship, the following described real estate, situated in SHELBY County, Alabama:

Lot 40, according to the Survey of Greystone, 8th Sector, as recorded in Map Book 20, Page 93 A & B, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

Together with the nonexclusive easement to use the private roadways, Common Areas and Hugh Daniel Drive, all as more particularly described in the Greystone Residential Declaration of Covenants, Conditions and Restrictions dated November 6, 1990 and recorded in Real 317 Page 260 in the Probate Office of Shelby County, Alabama and all amendments thereto.

Subject to:

Ad valorem taxes for 1996 and subsequent years not yet due and payable until October 1, 1996. Existing covenants and restrictions, easements, building lines, and limitations of record.

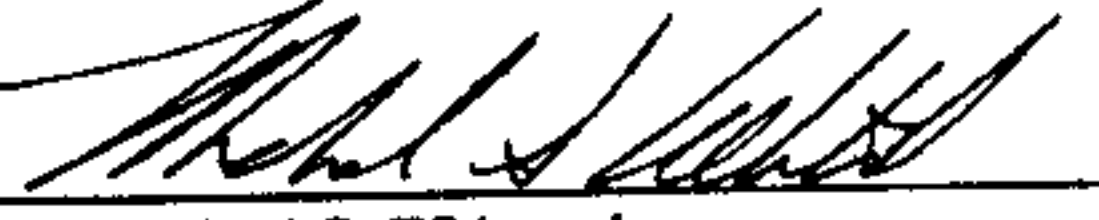
\$474,000.00 of the consideration was paid from the proceeds of a mortgage loan closed simultaneously herewith.

TO HAVE AND TO HOLD Unto the said GRANTEEES 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 GRANTEEES 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, and that I/we will and my/our heirs, executors, and administrators shall warrant and defend the same to the said GRANTEEES, their heirs executors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said GRANTOR, by its President, Michael S. Whitcomb, who is authorized to execute this conveyance, has hereto set his signature and seal, this the 13th day of September, 1996.

WHITCOMB CONSTRUCTION, INC.

By: 

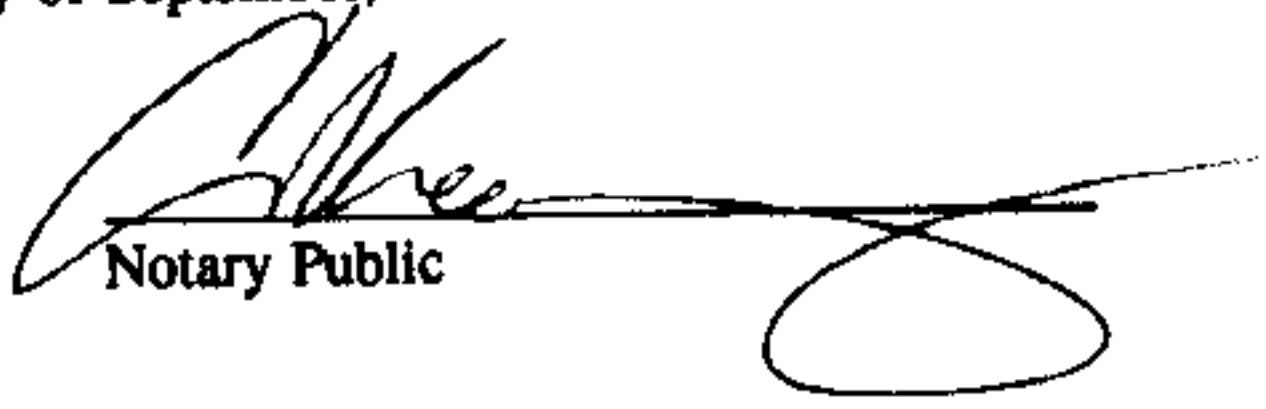
Michael S. Whitcomb

Its: President

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Michael S. Whitcomb, whose name as President of WHITCOMB CONSTRUCTION, INC., a corporation, 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, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this 13th day of September, 1996.


Notary Public

My Commission Expires: 5/29/99

Inst # 1996-30606

CLAYTON T. SWEENEY, ATTORNEY AT LAW