

THIS INSTRUMENT PREPARED BY:

John B. Davis, Jr.
1031 South 21st Street
Birmingham, AL 35205

SEND TAX NOTICE TO:

James P. Kunze and Moira E. Kunze
4804 Shady Waters Lane
Birmingham, Alabama 35243

STATE OF ALABAMA)
COUNTY OF SHELBY)

STATUTORY WARRANTY DEED
(WITH RIGHT OF SURVIVORSHIP)

Inst # 1997-06350

KNOW ALL MEN BY THESE PRESENTS THAT in consideration of Forty-two Thousand and No/100 Dollars (\$42,000.00) and other good and valuable consideration, paid to the undersigned grantor, Forest Parks, LLC, an Alabama limited liability company ("Grantor"), by James P. Kunze and Moira E. Kunze ("Grantees"), the receipt and sufficiency whereof are hereby acknowledged, Grantor does by these presents, grant, bargain, sell and convey unto the Grantees, as joint tenants with right of survivorship, the following described real estate situated in Shelby County, Alabama (the "Premises"), to-wit:

Lot 124, according to the Survey of Forest Parks - 1st Sector, as recorded in Map Book 22, Page 28 A, B & C, and Instrument No. 1997-02751, in the Probate Office of Shelby County, Alabama.

SUBJECT TO: (1) Current taxes; (2) Easements, restrictions and exceptions as shown on the Record Map of Forest Parks, 1st Sector; (3) Easement for Alabama Power Company recorded in Volume 236, at Page 829, in the Probate Office of Shelby County, Alabama; (4) Right of Way granted to Alabama Power Company by instrument recorded in Volume 139, at Page 127; Volume 133, at Page 210; Volume 126, at Page 191; Volume 126, at Page 192; Volume 126, at Page 323; and Volume 124, at Page 519, in the Probate Office of Shelby County, Alabama; (5) Title to all mineral within and underlying the premises, together with all 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 53, at Page 262, in the Probate Office of Shelby County, Alabama; (6) Covenants and Restrictions as set out in Instrument No. 1997-02752.

TO HAVE AND TO HOLD to 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.

02/28/1997-06350
12:51 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 HCB 53.00

IN WITNESS WHEREOF, the undersigned has executed this conveyance on this the

10th day of February, 1997.

WITNESS:

Bolyn E. Cain

Forest Parks, LLC, an Alabama limited liability company

By:

John B. Davis, Jr.
John B. Davis, Jr., as its Manager

STATE OF ALABAMA)
COUNTY OF SHELBY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that John B. Davis, Jr., whose name as Manager of Forest Parks, LLC, an Alabama limited liability company, is signed to the foregoing conveyance and who is known to me, acknowledged before me on this day, that, being informed the contents of the conveyance, he, as such Manager and with full authority, executed the same voluntarily for and as the act of said Forest Parks, LLC.

Given under my hand and official seal this 10th day of February, 1997.

Lisa S. Lanning
Notary Public

My commission expires: _____

MY COMMISSION EXPIRES MARCH 10, 2000

Inst # 1997-06350

02/28/1997-06350
12:51 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 NCD 53.00