

## (RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was  
prepared by:

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SEND TAX NOTICE TO:

GARY S. AUSLANDER  
1128 RUSHING PARC DRIVE  
BIRMINGHAM, AL 35244

STATE OF ALABAMA)

COUNTY OF SHELBY)

**JOINT TENANTS WITH RIGHT OF SURVIVORSHIP**

**WARRANTY DEED**

Know All Men by These Presents: That in consideration of TWO HUNDRED FIFTY FIVE THOUSAND and 00/100 (\$255,000.00) DOLLARS to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, CRAYTON PATTERSON, JR., A MARRIED PERSON D/B/A PATTERSON HOMEBUILDERS (herein referred to as GRANTORS) do grant, bargain, sell and convey unto GARY S. AUSLANDER and THERESA A. AUSLANDER, HUSBAND AND WIFE, (herein referred to as GRANTEES, as joint tenants, with right of survivorship, whether one or more) the following described real estate, situated in SHELBY County, Alabama, to-wit:

LOT 35, ACCORDING TO THE AMENDED MAP OF RUSHING PARC, SECTOR TWO, AS RECORDED IN MAP BOOK 20, PAGE 33, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

**SUBJECT TO:**

1. Subject to the taxes for the year beginning October 1, 1996 which constitutes a lien but are not yet due and payable until October 1, 1997.
2. 35 foot building line as shown by recorded Map.
3. Restrictions as shown by recorded Map.
4. 7.5 foot Easement on east and south, as shown by recorded Map.
5. Easement as recorded in Volume 247, page 772 in the Probate Office of Shelby County, Alabama.
6. Declarations as recorded in Instrument 1995-16263 in the Probate Office of Shelby County, Alabama.

THIS PROPERTY DOES NOT CONSTITUTE THE HOMESTEAD OF THE GRANTOR NOR HIS RESPECTIVE SPOUSE.

\$185,000.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

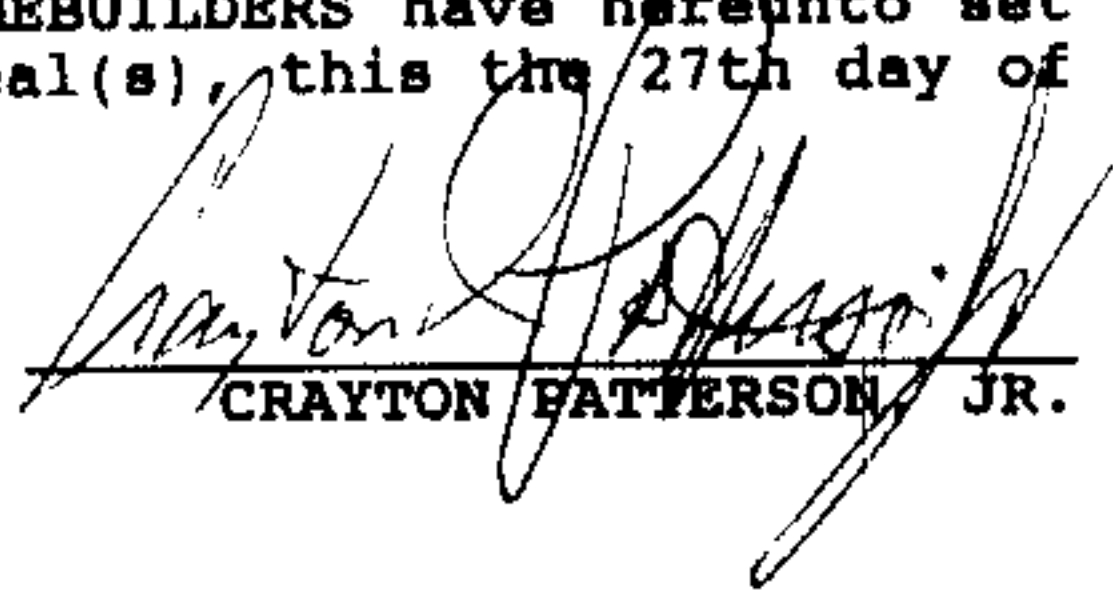
**TO HAVE AND TO HOLD** Unto the said GRANTEES as joint tenants, with right of survivorship, their heirs and assigns, forever; it being the intention of the parties to this conveyance, that (unless the joint tenancy hereby created is severed or terminated during the joint lives of the grantees herein) 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

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as tenants in common.

And I (we) do for myself (ourselves) and for my (our) heirs, executors, and administrators covenant with the said GRANTEES, his, her, or 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; that I (we) will and my (our) heirs, executors and administrators shall warrant and defend the same to the said GRANTEES, his, her, or their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said GRANTORS, CRAYTON PATTERSON, JR., A MARRIED PERSON, D/B/A PATTERSON HOMEBUILDERS have hereunto set his, her or their signature(s) and seal(s), this the 27th day of May, 1997.

  
CRAYTON PATTERSON, JR.

STATE OF ALABAMA)  
COUNTY OF SHELBY)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that CRAYTON PATTERSON, JR., A MARRIED PERSON, D/B/A/ PATTERSON HOMEBUILDERS 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 the conveyance he, she, or they executed the same voluntarily on the day the same bears date.

Given under my hand this the 27th day of May, 1997.

  
Notary Public

My commission expires: 7/16/98

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