

R9705-1394

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was prepared by:

SEND TAX NOTICE TO:

Pruett, Brown, Turner & Horsley, L.L.C. Attorneys at Law 2340 Woodcrest Place Suite 150 Birmingham, Alabama 35209

JAMES E. HAMLIN 158 WINDSOR DRIVE PELHAM, ALABAMA 35124

45000

Inst # 1997-18981

STATE OF ALABAMA) COUNTY OF SHELBY)

JOINT TENANTS WITH RIGHT OF SURVIVORSHIP WARRANTY DEED

Know All Men by These Presents: That in consideration of TEN DOLLARS and 00/100 (\$10.00) DOLLARS to the undersigned grantor or grantors in hand paid by the GRANTEEES herein, the receipt of which is acknowledged, we, CARTER HOMEBUILDERS, INC. (herein referred to as GRANTORS) do grant, bargain, sell and convey unto JAMES E. HAMLIN and SUSAN C. HAMLIN, HUSBAND AND WIFE, (herein referred to as GRANTEEES, as joint tenants, with right of survivorship, whether one or more) the following described real estate, situated in SHELBY County, Alabama, to-wit:

Lot 1314, according to the Amended Map of Weatherly, Wixford Forest-Sector 13, as recorded in Map Book 22, Page 23, A & B, in the Probate Office of Shelby County, Alabama. Situated in Shelby County, Alabama.

Subject To:

Taxes for the year 1997 and subsequent years.

Easement(s); bulding line; and, restrictions as shown on recorded map.

Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges, and immunities relating thereto.

Non-exclusive perpetual easement for ingress, egress and public utilites as recorded in In Inst. #1993-37546; Inst. #1993-39916; Inst. #1993-39001; Inst. #1993-40411, and Inst. #1995-6002.

\$170,000.00 of the consideration herein was derived from a mortgage 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 the said GRANTEEES, 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 GRANTEEES, his, her, or their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said GRANTORS, CARTER HOMEBUILDERS, INC., have hereunto set his, her or their signature(s) and seal(s), this the 12th day of June, 1997.

Inst # 1997-18981 [Signature] CARTER HOMEBUILDERS, INC.

06/17/1997-18981 01:25 PM CERTIFIED SHELBY COUNTY JUDGE OF PROBATE 002 MCD 12.00

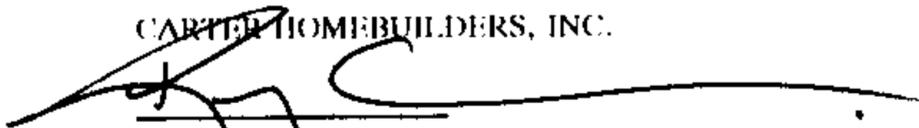
STATE OF ALABAMA)
COUNTY OF JEFFERSON)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that Kerry Carter, whose name as the President of Carter Homebuilders, 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.

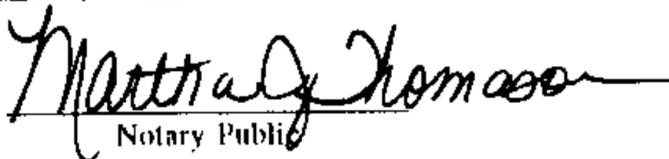
Given under my hand and official seal, this the 12th day of June, 1997.

CARTER HOMEBUILDERS, INC.



BY: KERRY CARTER
ITS: PRESIDENT

Given under my hand this the 12th day of June, 1997.



Notary Public

My commission expires: _____

MY COMMISSION EXPIRES 2-25-98

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