

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

Inst # 1997-20666

This Instrument was prepared by:

SEND TAX NOTICE TO:
KENNETH E. LUKE, JR.
233 QUAIL RIDGE ROAD
HELENA, AL 35080

R. Shan Paden
PADEN & PADEN
Attorneys at Law
100 Concourse Parkway, Suite 130
Birmingham, Alabama 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 THOUSAND and 00/100 (\$250,000.00) DOLLARS to the undersigned grantor, WIN HOMES, INC., in hand paid by the GRANTEES herein, the receipt of which is hereby acknowledged, the said GRANTOR, does by these presents, grant, bargain, sell and convey unto KENNETH E. LUKE, JR. and DIXIE M. LUKE, 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 42, ACCORDING TO THE MAP OF QUAIL RIDGE SUBDIVISION, AS RECORDED IN MAP BOOK 22, PAGE 35, 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. Restrictive covenants and agreement for underground residential distribution in favor of Alabama Power Company recorded in instrument #1997-19419.
3. Release of damages recorded in Instrument #1997-07628.

Covenants and agreements regarding storm water runoff recorded in Instrument #1997-07628.

Declaration of protective covenants recorded in Instrument #1997-05314.

Restrictions as shown on recorded plat.

40 foot building line from Quail Ridge Road and along the northerly lot line and 7.5 foot drainage easement along the westerly and easterly lot line, all as shown on recorded plat.

\$210,000.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

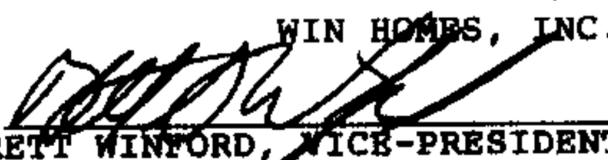
TO HAVE AND TO HOLD Unto the said GRANTEES as joint tenants, with right of survivorship, their heirs and assigns, forever; it being the intention of the parties to this conveyance, that (unless the joint tenancy hereby created is severed or terminated during the joint lives of the grantees herein) in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

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other, then the heirs and assigns of the grantees herein shall take as tenants in common.

And said GRANTOR does for itself, its successors and assigns, covenant with the said GRANTEEES, his, her, or their heirs and assigns, that it is lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that it has a good right to sell and convey the same as aforesaid, and that it will and its successors and assigns 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 GRANTOR, WIN HOMES, INC., by its VICE-PRESIDENT, BRETT WINFORD who is authorized to execute this conveyance, has hereunto set its signature and seal, this the 26th day of June, 1997.

By:  WIN HOMES, INC.
BRETT WINFORD, VICE-PRESIDENT

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that BRETT WINFORD, whose name as VICE-PRESIDENT of WIN HOMES, 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 or she, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand this the 26th day of JUNE, 1997.


Notary Public

My commission expires: 7/16/98

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07/02/1997-20666
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