

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was prepared by:

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PADEN & PADEN  
Attorneys at Law  
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Birmingham, Alabama 35244

SEND TAX NOTICE TO:

KENNETH A. DISMUKES  
2676 BUCKBOARD ROAD  
BIRMINGHAM, AL 35242

STATE OF ALABAMA)

COUNTY OF SHELBY)

JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

WARRANTY DEED

Know All Men by These Presents: That in consideration of ONE HUNDRED FIFTY SIX THOUSAND and 00/100 (\$156,000.00) DOLLARS to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, MICHAEL T. RAINEY and LINDA K. RAINEY, HUSBAND AND WIFE (herein referred to as GRANTORS) do grant, bargain, sell and convey unto KENNETH A. DISMUKES and MARTHA R. DISMUKES, 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 59, ACCORDING TO THE SURVEY OF HOMESTEAD, SECOND SECTOR, AS RECORDED IN MAP BOOK 6, PAGE 74, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

SUBJECT TO:

1. Taxes for the year beginning October 1, 1996 which constitutes a lien but are not yet due and payable until October 1, 1997.
2. Easements, or claims of easements, not shown by the public records.
3. Easement over the East 10 feet of said parcel for public utilities, sanitary sewers, storm sewers, storm ditches as shown on recorded map.
4. 50 foot building restrictions line from Buckboard Road as shown on recorded map.
5. Restrictions appearing of record in Misc. Book 14, page 342 and as shown on recorded map.
6. Agreement with Alabama Power Company relating to underground residential distribution system as recorded in Misc. Book 14, page 651.
7. Agreement with Alabama Power Company relating to electrical facilities as recorded in Misc. Book 14, page 658.
8. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto, including release of damages, as recorded in Deed Book 4, page 376.

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9. Right-of-way granted Alabama Power Company recorded in Deed Book 295, page 159; Deed Book 129, page 561; Deed Book 187, page 363; Deed Book 185, page 131 and Deed Book 179, page 370.


\$124,800.00 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 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, MICHAEL T. RAINEY and LYNDIA K. RAINEY, HUSBAND AND WIFE, have hereunto set his, her or their signature(s) and seal(s), this the 29th day of August, 1997.

  
MICHAEL T. RAINEY

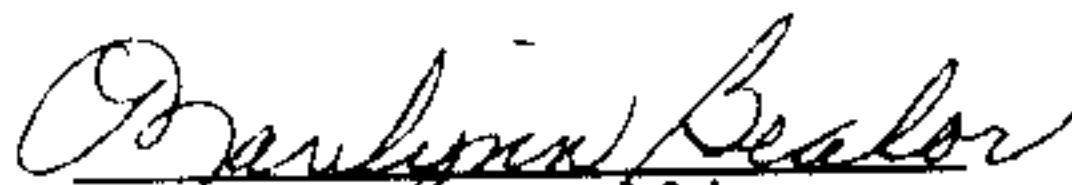
  
LYNDA K. RAINEY

STATE OF Illinois  
COUNTY OF Peoria

#### ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that MICHAEL T. RAINEY and LYNDIA K. RAINEY, HUSBAND AND WIFE, 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 29th day of August, 1997.

  
Notary Public

My commission expires: 02-08-2000



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