

This instrument was prepared by:  
Clayton T. Sweeney, Attorney  
2700 Hwy. 280E, Suite 290E  
Birmingham, AL 35223

SEND TAX NOTICE TO:  
BRUCE A. MCMELLON

LESLIE G. MCMELLON  
45.3 St Annes Drive  
Birmingham, Alabama 35244

STATE OF ALABAMA }  
COUNTY OF SHELBY }

Warranty Deed/ITWROS  
Inst # 1997-34892

KNOW ALL MEN BY THESE PRESENTS, That in consideration of ONE HUNDRED FIFTY-SIX THOUSAND DOLLARS AND NO/100's (\$156,000.00) to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of whereof is acknowledged, I/we DANIEL PETTWAY, a married man, (herein referred to as grantors, whether one or more) do grant, bargain, sell, and convey unto BRUCE A. MCMELLON and LESLIE G. MCMELLON (herein referred to as GRANTEES) as joint tenants, with right of survivorship, the following described real estate, situated in SHELBY County, Alabama:

Lot 131, according to the Map of Highland Lakes, 1st Sector, an Eddleman Community, as recorded in Map Book 18, Page 37 A, B, C, D, E, F & G, in the Probate Office of Shelby County, Alabama.

Together with nonexclusive easement to use the private roadways, Common Area all as more particularly described in the Declaration of Easements and Master Protective Covenants for Highland Lakes, a Residential Subdivision, recorded as Instrument #1994-07111 in the Probate Office of Shelby County, Alabama, and the Declaration of Covenants, Conditions and Restrictions for Highland Lakes, a Residential Subdivision, 1st Sector, recorded as Instrument #1994-07112 in the Probate Office of Shelby County, Alabama ( which, together with all amendments thereto, is hereinafter collectively referred to as, the "Declaration").

Subject to:  
Ad valorem taxes for 1997 and subsequent years not yet due and payable until October 1, 1997. Existing covenants and restrictions, easements, building lines, and limitations of record.

The above described property does not constitute the homestead of the Grantor nor his spouse.

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.

IN WITNESS WHEREOF, the Grantors have caused this statutory warranty deed to be executed this \_\_\_\_\_ day of September, 1997.

*[Signature]*  
DANIEL PETTWAY  
Inst # 1997-34892

10/27/1997-34892  
12:15 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
001 MCD 164.50

STATE OF Tennessee }  
Hamilton COUNTY }

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that DANIEL PETTWAY, whose name 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 executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 25<sup>th</sup> day of September, 1997.

*[Signature]*  
Notary Public

My Commission Expires: Feb. 8, 2000

AFFIX SEAL

CLAYTON T. SWEENEY, ATTORNEY