

PREPARED BY: CU LENDING, INC., 22 Inverness Center Parkway, Suite 210, Birmingham, Alabama 35242

SEND TAX NOTICE TO: JOHN L. RUSH, JR. AND REBECCA L. RUSH
116 SPRING CREEK CAMP ROAD, SHELBY, AL 35143

WARRANTY DEED, JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

STATE OF ALABAMA)
COUNTY OF SHELBY)

KNOW ALL MEN BY THESE PRESENTS: That in consideration of TWENTY FIVE THOUSAND AND NO/100 DOLLARS (\$25,000.00), to the undersigned Grantor or Grantors, in hand paid by the GRANTEES herein, the receipt of which is hereby acknowledged, I (We), JIM R. PITTS AND WIFE, DARYL L. PITTS (herein referred to as GRANTOR, whether one or more) do grant, bargain, sell and convey unto, JOHN L. RUSH, JR. AND WIFE, REBECCA L. RUSH (herein referred to as GRANTEES), as joint tenants, with right of survivorship, the following described real estate situated in SHELBY County, Alabama, to-wit:

LOT 1, ACCORDING TO THE MAP OF 1987 ADDITION TO SHELBY SHORES, AS RECORDED IN MAP BOOK 12, PAGE 23 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA. SITUATED IN SHELBY COUNTY, ALABAMA.

- (1) Subject to property taxes for the current year.
- (2) Subject to easements, restrictions, covenants and conditions, if any.
- (3) Subject to mineral and mining rights.
- (4) Subject to Restrictions as recorded in Deed Book 340, Page 866-882 in the Probate Office of Shelby County.
- (5) Subject to Transmission line permit to Alabama Power Company recorded in Real Book 105, Page 924 in the Probate Office.
- (6) Subject to Restrictions covenants and conditions as recorded in Real Book 180, Page 164 in the Probate Office.
- (7) Subject to 100-foot building set back line from Shelby County Highway #42 as shown on recorded map.
- (8) Subject to Rights of other parties in and to the use of the non-exclusive right of way easements for ingress, egress and utilities described herein.
- (9) Subject to Flood rights acquired by Alabama Power Company by instrument recorded in Deed Book 253, Page 120 in the Probate Office.

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 said GRANTEES, their heirs and assigns, that I(we) am(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, their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, I(we) have hereunto set my(our) hand(s) and seal(s), on OCTOBER 24, 1997.


JIM R. PITTS

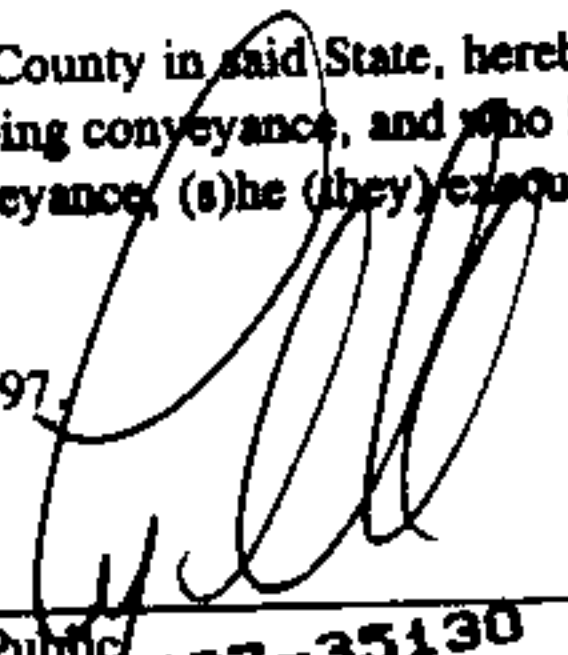

DARYL L. PITTS

STATE OF ALABAMA)
COUNTY OF SHELBY)

I, the undersigned authority, a Notary Public, in and for said County in said State, hereby certify that JIM R. PITTS AND WIFE, DARYL L. PITTS, 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 said conveyance, (s)he (they) executed the same voluntarily on the date the same bears date.

Given under my hand and official seal on OCTOBER 24, 1997.

My commission expires: 7/23/99


Notary Public
Inst # 1997-35130

10/28/1997-35130
02:17 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
001 KC3 33.30

Inst # 1997-35130