

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was prepared by:

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PADEN & PADEN  
Attorneys at Law  
100 Concourse Parkway, Suite 130  
Birmingham, Alabama 35244

SEND TAX NOTICE TO:  
  
BURTON LOUIS PRICE  
1922 SEATTLE SLEW DRIVE  
HELENA, AL 35080

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 THREE THOUSAND NINE HUNDRED and 00/100 (\$153,900.00) DOLLARS to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, STEVEN B. PHILLIPS and VICKY P. PHILLIPS, HUSBAND AND WIFE (herein referred to as GRANTORS) do grant, bargain, sell and convey unto BURTON LOUIS PRICE and JANET M PRICE, 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 40, ACCORDING TO THE SURVEY OF DEARING DOWNS, 11TH ADDITION, AS RECORDED IN MAP BOOK 15 PAGE 90 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

SUBJECT TO:

1. TAXES FOR THE YEAR BEGINNING OCTOBER 1, 1997 WHICH CONSTITUTES A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 1998.
2. BUILDING SETBACK LINE OF 35 FEET RESERVED FROM SEATTLE SLEW DRIVE AS SHOWN BY PLAT.
3. EASEMENTS AS SHOWN BY RECORDED PLAT, INCLUDING 10 FEET ON THE EASTERLY SIDE AND 25 FEET ON THE SOUTHERLY SIDE OF LOT.
4. RESTRICTIONS, COVENANTS AND CONDITIONS AS SET OUT IN INSTRUMENT(S) RECORDED IN REAL 376 PAGE 550 IN PROBATE OFFICE.
5. TRANSMISSION LINE PERMIT(S) TO ALABAMA POWER COMPANY AS SHOWN BY INSTRUMENT(S) RECORDED IN DEED BOOK 131 PAGE 192 IN PROBATE OFFICE.
6. EASEMENT(S) TO ALABAMA POWER COMPANY AS SHOWN BY INSTRUMENT RECORDED IN REAL 377 PAGE 416 IN PROBATE OFFICE.
7. TITLE TO ALL MINERALS WITHIN AND UNDERLYING THE PREMISES, TOGETHER WITH ALL MINING RIGHTS AND OTHER RIGHTS, PRIVILEGES AND IMMUNITIES RELATING THERETO, INCLUDING RIGHTS SET OUT IN INST. #1994-14918 IN PROBATE OFFICE.
8. RESTRICTIONS, LIMITATIONS AND CONDITIONS AS SET OUT IN MAP BOOK 15 PAGE 90.
9. AGREEMENT WITH COLONIAL PIPELINE CO. AS SET OUT IN REAL 367 PAGE 941 IN PROBATE OFFICE.

11/21/1997-38107  
11:41 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
DOE MCD 75.00

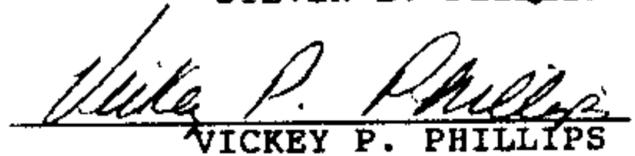
\$90,000.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

**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 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, STEVEN B. PHILLIPS and VICKEY P. PHILLIPS, HUSBAND AND WIFE, have hereunto set his, her or their signature(s) and seal(s), this the 31st day of October, 1997.

  
STEVEN B. PHILLIPS

  
VICKEY P. PHILLIPS

STATE OF ALABAMA)  
COUNTY OF SHELBY)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that STEVEN B. PHILLIPS and VICKEY P. PHILLIPS, 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 31st day of October, 1997.

  
Notary Public

My commission expires: 7/16/98

Inst # 1997-38107

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002 NCD 75.00