

STATUTORY WARRANTY DEED

This instrument was prepared by

Send Tax Notice To: John E. Horton

(Name) Lamar Ham

name

60 Winterhaven Drive

address

(Address) 3512 Old Montgomery Highway, Birmingham, AL 35209

Alabaster, AL 35007

CORPORATION FORM WARRANTY DEED, JOINTLY FOR LIFE WITH REMAINDER TO SURVIVOR

STATE OF ALABAMA  
COUNTY OF Jefferson

KNOW ALL MEN BY THESE PRESENTS,

That in consideration of One Hundred, Twenty Five Thousand, Nine Hundred and 00/100 Dollars (\$125,900.00)

to the undersigned grantor, D. R. Horton, Inc. - Birmingham

a corporation,

(herein referred to as GRANTOR), 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

John E. Horton and Tammi P. Horton

(herein referred to as GRANTEES) for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, together with every contingent remainder and right of reversion, the following described real estate, situated in Shelby County, Alabama to-wit:

Lot 128, according to the Survey of Summer Brook, Sector 5, Phase 2, as recorded in Map Book 21, page 105 in the Probate Office of Shelby County, Alabama.

Subject to current taxes, easements, restrictions, mineral and mining rights and rights of way of record.

\$ 117,383.00 of the purchase price was paid from the proceeds of a mortgage loan closed simultaneously herewith.

12/02/1997-39050  
09:35 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
001 MCD 17.50

TO HAVE AND TO HOLD, To the said GRANTEES for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, and to the heirs and assigns of such survivor forever, together with every contingent remainder and right of reversion.

IN WITNESS WHEREOF, the said GRANTOR, by its President, Dwight A. Sandlin who is authorized to execute this conveyance, has hereto set its signature and seal, this the 26th day of November 19 97 D. R. Horton, Inc. - Birmingham

ATTEST.

By Dwight A. Sandlin  
Dwight A. Sandlin, President

STATE OF Alabama  
COUNTY OF Jefferson

a Notary Public in and for said County in said

I, Lamar Ham State, hereby certify that Dwight A. Sandlin whose name as President of D. R. Horton, Inc. - Birmingham 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, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal, this the 26th day of November 19 97

Lamar Ham  
Notary Public

My Comm. Expires November 9, 2001

Inst # 1997-39050