

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was
prepared by:

R. Shan Paden
PADEN & PADEN
Attorneys at Law
100 Concourse Parkway, Suite 130
Birmingham, Alabama 35244

SEND TAX NOTICE TO:

EUGENE J. TOPAZI, SR.
1545 TIMBER 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 SIX THOUSAND and 00/100 (\$106,000.00) DOLLARS to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, DAVID F. FOLSOM and PAMELA J. FOLSOM, HUSBAND AND WIFE, (herein referred to as GRANTORS) do grant, bargain, sell and convey unto EUGENE J. TOPAZI, SR. and MAXINE E. TOPAZI, 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 20, ACCORDING TO THE SURVEY OF TIMBER PARK, PHASE II, AS RECORDED IN MAP BOOK 14, PAGE 68 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. Transmission line permits to Alabama Power Company as recorded in Real Book 236, page 980 in the Probate Office of Shelby County, Alabama.
3. Easements to Colonial Pipeline Company as recorded in Deed Book 222, page 91; Deed Book 222, page 203; Deed Book 222, page 205; Deed Book 222, page 207; Deed Book 267 page 827; Deed Book 267, page 830 and Deed Book 267, page 831 in the Probate Office.
4. Right of way to Shelby County as recorded in Lis Pendens Book 4 page 648 and Deed Book 271 page 741 in the Probate Office.
5. Easements to South Central Bell as recorded in Deed Book 336 page 226 and Deed Book 337 page 239 in the Probate Office.
6. Release of damages as recorded in Real Book 325 page 441 in the Probate Office.
7. Restrictive covenants as recorded in Real Book 307 page 563 and Real Book 364 page 398 in the Probate Office.
8. Permits to Alabama Power Company as recorded in Real Book 315 page 485 and Real Book 333 page 122 in the Probate Office.
9. 20-foot building set back line from Timber Drive as shown on recorded map of subdivision.

12/15/1997-40616
10:00 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 MEL 117.00

10. 7.5-foot drainage and utility easement across the Northeasterly and Southeasterly sides of lot as shown on recorded map of subdivision.

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, DAVID F. FOLSOM and PAMELA J. FOLSOM, HUSBAND AND WIFE, have hereunto set his, her or their signature(s) and seal(s), this the 26th day of November, 1997.


DAVID F. FOLSOM

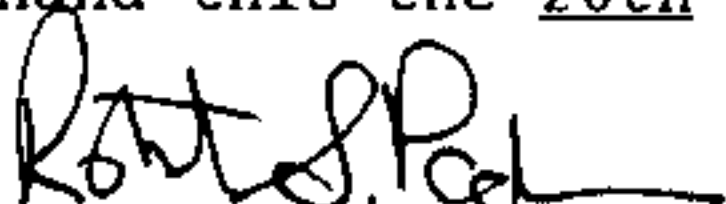

PAMELA J. FOLSOM

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that DAVID F. FOLSOM and PAMELA J. FOLSOM, 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 26th day of November, 1997.


Notary Public

My commission expires: 7/16/98

Inst # 1997-40616

12/15/1997-40616
10:00 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 MEI 117.00