

(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:

WILSON L. GUNN
1436 SECRETARIAT 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 FORTY TWO THOUSAND FIVE HUNDRED and 00/100 (\$142,500.00) DOLLARS to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, RONALD R. KILGO and SUSAN P. KILGO, HUSBAND AND WIFE (herein referred to as GRANTORS) do grant, bargain, sell and convey unto WILSON L. GUNN and PATRICIA ANN GUNN, 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 67, ACCORDING TO THE SURVEY OF DEARING DOWNS, 6TH ADDITION, PHASE 1, AS RECORDED IN MAP BOOK 10 PAGE 78 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 40 feet reserved from Secretariat Drive as shown by plat.
3. Easements as shown by recorded plat, including a 10 foot easement on rear and 5 feet on the North and South sides of lot.
4. Restrictions, covenants and conditions as set out in instrument(s) recorded in Real 111 page 456 in Probate Office.
5. Transmission Line Permit(s) to Alabama Power Company as shown by instrument(s) recorded in Deed Book 55 page 454 in Probate Office.
6. Right(s)-of-Way(s) granted to Alabama Power Company as shown by instrument(s) recorded in Deed Book 225 page 224 in Probate Office.
7. Right(s)-of-Way(s) granted to South Central Bell by instrument(s) recorded in Real 87 page 199 in Probate Office.
8. 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 Deed Book 249 page 355 in Probate Office.

12/15/1997-40624
10:01 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 MEL 21.00

9. Easement(s) to Alabama Power Company as shown by instrument recorded in Real 157 page 574 in Probate Office.
10. Easement(s) to Alabama Power Company and South Central Bell as shown by instrument recorded in Real 157 page 572 in Probate Office.
11. Restrictions, limitations and conditions as set out in Map Book 10 page 78.

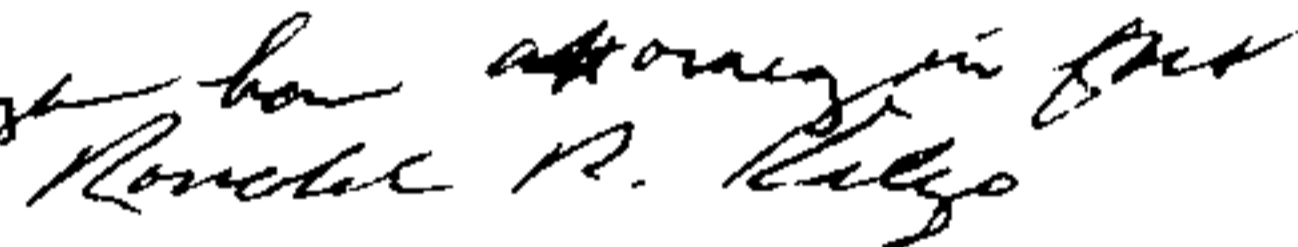
\$135,350.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

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, RONALD R. KILGO and SUSAN P. KILGO, HUSBAND AND WIFE, have hereunto set his, her or their signature(s) and seal(s), this the 26th day of November, 1997.


 RONALD R. KILGO

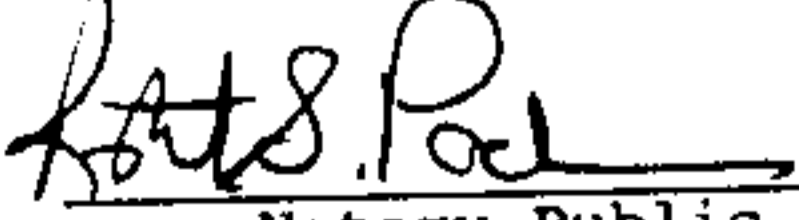

 SUSAN P. KILGO, ACTING BY AND THROUGH
 HER ATTORNEY IN FACT, RONALD R. KILGO 

STATE OF ALABAMA)
 COUNTY OF SHELBY)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that RONALD R. KILGO, 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

ACKNOWLEDGEMENT

STATE OF ALABAMA)
COUNTY OF SHELBY)

I, the undersigned, a Notary Public in and for said State of Alabama at Large, hereby certify that RONALD R. KILGO, whose name as Attorney in Fact for SUSAN P. KILGO, is signed to the foregoing instrument and who is known to me, acknowledged before me that this date that, being informed of the instrument, he, in his capacity as such Attorney in Fact, and with full authority executed the same voluntarily on the date the same bears date.

Given under my hand and seal on this the 26TH day of NOVEMBER, 1997.


NOTARY PUBLIC

MY COMMISSION EXPIRES: 7/14/98

Inst # 1997-40624

12/15/1997-40624
10:01 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 MEL 21.00