

STATUTORY WARRANTY DEED

This instrument was prepared by

Send Tax Notice To: Jeff S. Wheeler  
name

(Name) Lamar Ham  
3512 Old Montgomery Highway

116 Winterhaven Cove  
address Alabaster, AL 35007

(Address) Birmingham, AL 35209

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 Thirty Four Thousand Eight Hundred Seventy Eight & 00/100-Dollars

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

(herein referred to as GRANTOR), in hand paid by the GRANTEEES herein, the receipt of which is hereby acknowledged, the said GRANTOR does by these presents, grant, bargain, sell and convey unto

Jeff S. Wheeler and Kathleen Wheeler

(herein referred to as GRANTEEES) 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 107, according to the Survey of Summer Brook, Sector 5, Phase 7 as recorded in Map Book 23, page 49 in the Probate Office of Shelby County, Alabama.

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

\$128,134.00 of the purchase price was paid from the proceeds of a mortgage loan closed simultaneously herewith.

Inst # 1998-16575

05/06/1998-16575  
03:21 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
001 MCD 15.50

TO HAVE AND TO HOLD, To the said GRANTEEES 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 Assistant Secretary, Charles G. Arcara who is authorized to execute this conveyance, has hereto set its signature and seal, this the 30th day of April 19 98

D.R. Horton, Inc. - Birmingham

ATTEST:

By Charles G. Arcara  
Charles G. Arcara, Assistant Secretary

STATE OF ALABAMA  
COUNTY OF JEFFERSON

a Notary Public in and for said County in said

I, Lamar Ham  
State, hereby certify that Charles G. Arcara whose name as Assistant Secretary 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, D.R. Horton, Inc. - Birmingham

Given under my hand and official seal, this the 30th day of

April 19 98

[Signature]  
Notary Public

My Commission Expires November 9, 2001