

THIS INSTRUMENT PREPARED BY:
Richard W. Theibert, Attorney
Najjar Denaburg, P.C.
2125 Morris Avenue
Birmingham, Alabama 35203

Send Tax Notice to:
Richard E. McFalls
Terry C. McFalls
4046 Water Willow Lane
Hoover, AL 35244

STATE OF ALABAMA)
SHELBY COUNTY)

Inst # 1998-48019
12/03/1998-48019
01:55 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
DMS MEL 11.58

**STATUTORY ~~WARRANTY~~ DEED
JOINT TENANTS WITH RIGHT OF SURVIVORSHIP**

KNOW ALL MEN BY THESE PRESENTS,

In consideration of the sum of Three Hundred Sixty Thousand and No/100 (\$360,000.00) Dollars to the undersigned Grantor, Compass Bank, in hand by Grantees herein, Richard E. McFalls and spouse, Terry C. McFalls, the receipt and sufficiency, of which, is hereby acknowledged, the said Grantor, Compass Bank, does by these presents, grant, bargain, sell and convey unto the said Grantees, together with every contingent remainder and right of reversion all other right title and interest in the following described real estate, situated in Shelby County, Alabama:

Lot 3021, according to the Survey of Riverchase Country Club 30th Addition, as recorded in Map Book 13, Page 88, in the Probate Office of Shelby County, Alabama.

Subject to:

1. Ad Valorem taxes for the tax year 1999.
2. 10 foot Easement on rear, as shown by recorded map.
3. Restrictions as shown by recorded Map.
4. Restrictions and release of damages appearing of record in Instrument 1995-0200, in the Probate Office of Shelby County, Alabama.
5. Restrictions or Covenants recorded in misc. Volume 14, Page 536; Misc. Volume 17, Page 550; Misc. Volume 34, Page 549; Real 291, Page 67 and Real 246, Page 889, in the Probate Office of Shelby County, Alabama, but omitting any covenant or restriction based on race, color, religion, sex, handicap, familial status, or national origin.
6. Right of Way granted to Alabama Power Company by instrument recorded in Real 273, Page 215; Volume 113, Page 279; Volume 123, Page 173; Volume 143, Page 407 and Volume 219, Page 604, in the Probate Office of Shelby County, Alabama.
7. Mineral and mining rights and rights incident thereto recorded in Volume 7, Page 375; Volume 230, Page 53; Volume 155, Page

52 and Volume 127, Page 140, in the Probate Office of Shelby County, Alabama.

8. Restrictions regarding Alabama Power Company recorded in Real 298, Page 888, in the Probate Office of Shelby County, Alabama.
9. Agreement with Alabama Power Company recorded in Real 298, Page 915, in the Probate Office of Shelby County, Alabama.

ALL of the above recited consideration was paid by a purchase money mortgage executed 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.

TO HAVE AND TO HOLD, the above described property unto to said Grantees forever together with every contingent remainder and right of reversion.

GRANTEES understand that acceptance of this deed constitutes acceptance of all of the terms, conditions and obligations of all protective covenants and restrictions as set out hereinabove.

IN WITNESS WHEREOF, the Grantor, Compass Bank, by E. Lee Harris, Jr. whose name as Executive Officer of Human Resources, has hereto set his signature and seal, this 1st day of December, 1998.

IN WITNESS WHEREOF, we, the GRANTEES, have hereunto set our hands and seals, this 1st day of December, 1998.

Compass Bank

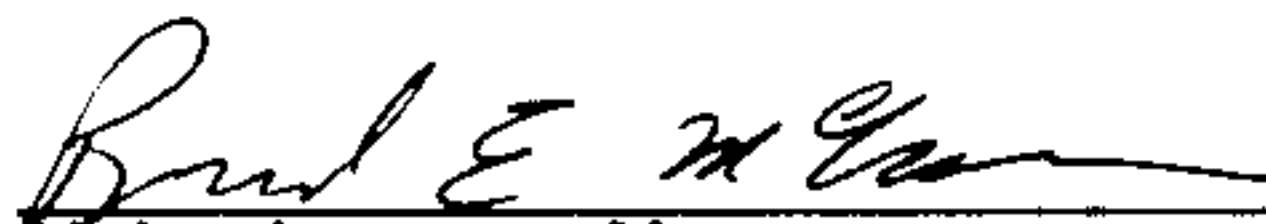


(SEAL)

By: E. Lee Harris, Jr.

Its: Executive Officer of Human
Resources

GRANTOR



(SEAL)

Richard E. McFalls

GRANTEE



(SEAL)

Terry C. McFalls

GRANTEE

THE STATE OF ALABAMA)
:
COUNTY OF JEFFERSON)

I, the undersigned, a Notary Public, in and for said County and State hereby certify that E. Lee Harris, Jr., whose name as Executive Officer of Human Resources of Compass Bank, 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 such conveyance, he, as such officer and with full authority, executed the same voluntarily for and as the act of the said bank.

Given under my hand and official seal this 1st day of December, 1998.


Notary Public

My commission expires: 2-20-2001

THE STATE OF ALABAMA)
:
COUNTY OF JEFFERSON)

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Richard E. McFalls and spouse, Terry C. McFalls, whose names are signed to the foregoing conveyance as GRANTEES, and who are known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 1st day of December, 1998.


NOTARY PUBLIC

My commission expires: 2-20-2001

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