

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was prepared by:

R. Shan Paden
PADEN & PADEN
Attorneys at Law
5 Riverchase Ridge, Suite 100
Birmingham, Alabama 35244

SEND TAX NOTICE TO:

GLENN D. OPPER
2605 TAHITI TERRACE
ALABASTER, AL 35007

Inst # 1999-02701

01/20/1999-02701

01:31 PM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE
002 CRH 11.30

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 EIGHT THOUSAND FIVE HUNDRED and 00/100 (\$108,500.00) DOLLARS to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, JOE B. RODGERS and KATHY C. RODGERS, HUSBAND AND WIFE (herein referred to as GRANTORS) do grant, bargain, sell and convey unto GLENN D. OPPER A MARRIED MAN, AND WIFE VIRGINIA A. OPPER, (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 26, BLOCK 7, ACCORDING TO THE SURVEY OF SOUTHWIND, FOURTH SECTOR, AS RECORDED IN MAP BOOK 7, PAGE 97, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

SUBJECT TO:

1. TAXES FOR THE YEAR BEGINNING OCTOBER 1, 1998 WHICH CONSTITUTES A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 1999.
2. AGREEMENT WITH ALABAMA POWER COMPANY FOR UNDERGROUND RESIDENTIAL DISTRIBUTION, AS RECORDED IN MISC. BOOK 28, PAGE 647.
3. TERMS, AGREEMENTS AND RIGHT OF WAY TO ALABAMA POWER COMPANY AS RECORDED IN MISC. BOOK 28, PAGE 646.
4. RIGHT OF WAY GRANTED TO ALABAMA POWER COMPANY BY INSTRUMENT(S) RECORDED IN DEED BOOK 316, PAGE 359.
5. RESTRICTIONS APPEARING OF RECORD IN MISC. BOOK 27, PAGE 978.
6. 35 FOOT BUILDING LINE FROM TAHITI TERRACE; 10 FOOT UTILITY EASEMENT ALONG THE SOUTHWESTERLY LOT LINE; A 7.5 FOOT UTILITY EASEMENT RUNNING INTO A 5 FOOT EASEMENT ALONG THE SOUTHEASTERLY LOT LINE AND A 5 FOOT UTILITY EASEMENT ALONG THE NORTHEASTERLY LOT LINE, ALL AS SHOWN ON RECORDED PLAT.

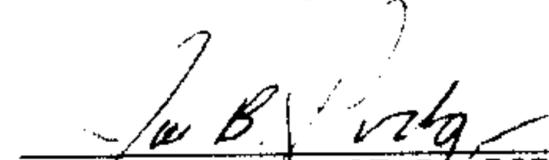
\$108,436.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

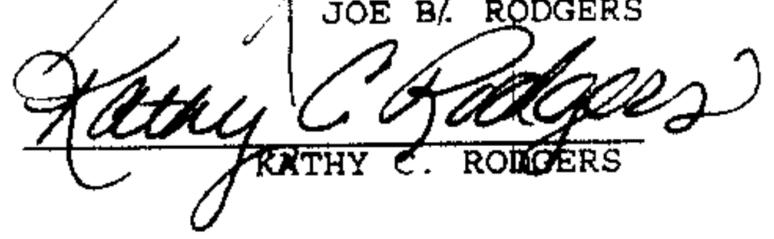
TO HAVE AND TO HOLD Unto the said GRANTEES as joint tenants, with right of survivorship, their heirs and assigns, forever; it being the intention of the parties to this conveyance, that (unless the joint tenancy hereby created is severed or terminated during the joint lives of the grantees herein) in 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, JOE B. RODGERS and KATHY C. RODGERS, HUSBAND AND WIFE, have hereunto set his, her or their signature(s) and seal(s), this the 11th day of January, 1999.



JOE B. RODGERS


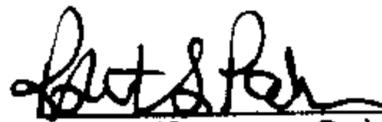
KATHY C. RODGERS

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that JOE B. RODGERS and KATHY C. RODGERS, 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 11th day of January, 1999.



Notary Public

My commission expires: 7/11/02

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