

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was
prepared by:

SEND TAX NOTICE TO:

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

EUGENE MAIER
128 WIXFORD WAY
ALABASTER, AL 35007

Inst # 1999-35785

STATE OF ALABAMA)

08/26/1999-35785
09:51 AM CERTIFIED

COUNTY OF SHELBY)

SHELBY COUNTY JUDGE OF PROBATE

JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

WARRANTY DEED

Know All Men by These Presents: That in consideration of ONE HUNDRED EIGHTY THOUSAND and 00/100 (\$180,000.00) DOLLARS to the undersigned grantor, MAYFIELD HOMEBUILDERS, L.L.C., AN ALABAMA LIMITED LIABILITY COMPANY in hand paid by the GRANTEES herein, the receipt of which is hereby acknowledged, the said GRANTOR, does by these presents, grant, bargain, sell and convey unto EUGENE MAIER and CAMILLE MAIER, 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 364, ACCORDING TO THE SURVEY OF WEATHERLY WIXFORD MOOR, SECTOR 24, AS RECORDED IN MAP BOOK 20 PAGE 144, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
MINERAL AND MINING RIGHTS EXCEPTED.

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. BUILDING SETBACK LINE OF 20 FEET RESERVED FROM WIXFORD WAY AS SHOWN BY PLAT.
3. EASEMENTS AS SHOWN BY RECORDED PLAT, INCLUDING 10 FEET ALONG THE REAR OF LOT.
4. RESTRICTIONS, COVENANTS AND CONDITIONS AS SET OUT IN INSTRUMENT(S) RECORDED IN INST. #1996-7635 AND INST. #1995-15694 IN PROBATE OFFICE.
5. 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 INST. #1995-30791 IN PROBATE OFFICE.
6. NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS, AND UTILITIES AS SHOWN BY INST. #1995-6002 IN PROBATE OFFICE.
7. COVENANTS AND AGREEMENTS AS TO WATER, SEWAGE AND TAP FEES, AS SET OUT IN INST. #1995-6003 IN PROBATE OFFICE.

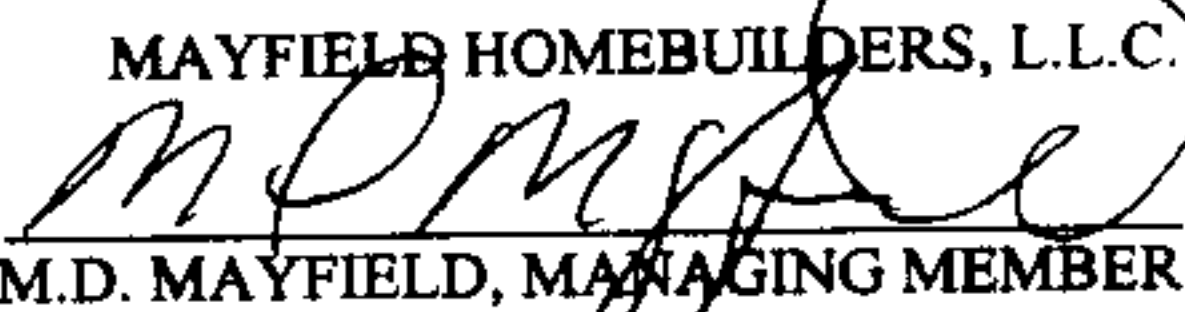
8. NON-EXCLUSIVE PERPETUAL EASEMENT FOR INGRESS AND EGRESS AS SET OUT IN INSTRUMENT #1993-37547 IN PROBATE OFFICE.

\$170,000.00 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 said GRANTOR does for itself, its successors and assigns, covenant with the said GRANTEES, his, her, or their heirs and assigns, that it is lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that it has a good right to sell and convey the same as aforesaid, and that it will and its successors and assigns 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 GRANTOR, MAYFIELD HOMEBUILDERS, L.L.C., by its MANAGING MEMBER, M.D. MAYFIELD who is authorized to execute this conveyance, has hereunto set its signature and seal, this the 5th day of August, 1999.

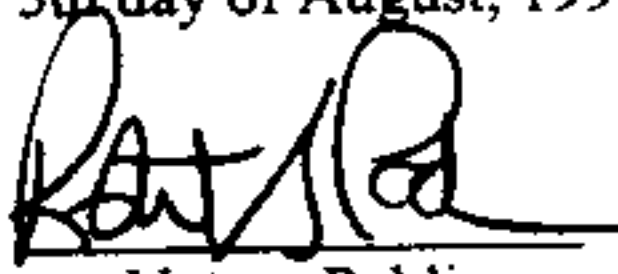
MAYFIELD HOMEBUILDERS, L.L.C.
By: 
M.D. MAYFIELD, MANAGING MEMBER

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that M.D. MAYFIELD, whose name as MANAGING MEMBER of MAYFIELD HOMEBUILDERS, L.L.C., an Alabama Limited Liability Company, 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 or she, as such officer and with full authority, executed the same voluntarily for and as the act of said limited liability company.

Given under my hand this the 5th day of August, 1999.


Notary Public

My commission expires: 7/11/02

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SHELBY COUNTY JUDGE OF PROBATE
002 CMH 21.00