

R0012-0128

THIS INSTRUMENT WAS PREPARED BY:

Jon M. Turner, Jr.
NAJJAR DENABURG, P.C.
2125 Morris Avenue
Birmingham, Alabama 35203

SEND TAX NOTICE TO:

Gregg P. Cary and Jo Ann W. Cary
126 Whisehunt Road
Chelsea, AL 35043

Inst # 2000-45348
12/29/2000-45348
08:40 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 MMB 18.00

WARRANTY DEED
JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

THE STATE OF ALABAMA)

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF SHELBY)

That in consideration of Five Hundred Dollars and no/100 (\$500.00), in hand paid to the undersigned, GREGG P. CARY and JO ANN CARY, Trustees, or their successors in trust, under the GREGG AND JO ANN CARY LIVING TRUST, dated October 11, 1999 and any amendments thereto, (hereinafter referred to as "GRANTOR"), by Gregg P. Cary and Jo Ann W. Cary, (hereinafter referred to as "GRANTEES"), the receipt of which is hereby acknowledged, the said GRANTOR does by these presents, grant, bargain, sell and convey unto GRANTEES the following described real estate, located and situated in Shelby County, Alabama, to wit:

See EXHIBIT "A" which is attached hereto and made a part hereof as if set out fully herein

SUBJECT TO:

1. Ad valorem taxes for the current year, 2001.
2. Easements, restrictions, and reservations of record.

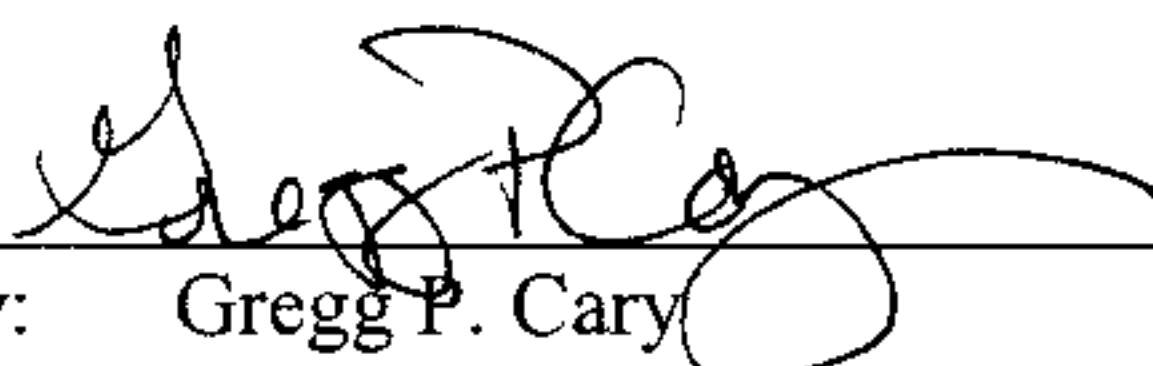
TO HAVE AND TO HOLD UNTO the said GRANTEES as joint tenants, with right of survivorship, their heirs and assigns, forever; it being the intention of the parties to this conveyance, that (unless the joint tenancy hereby created is severed or terminated during the joint lives of the GRANTEES herein) in 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.

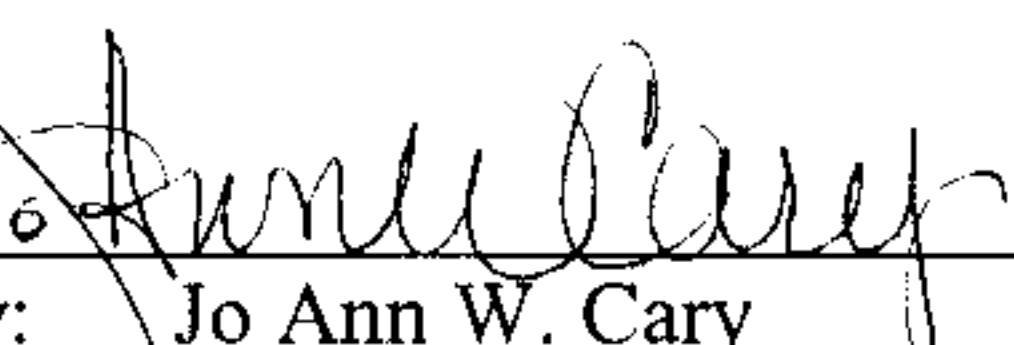
And said GRANTOR does for itself, its successors and assigns, covenant with said GRANTEES, their heirs and assigns, that is lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above, that it has a good right to sell and convey the same as aforesaid, that it will and its successors and assigns shall, warrant and defend the same to the said GRANTEES, their heirs, executors and assigns forever, against the lawful claims of all persons.

* \$265,000 of the consideration
stated herein was derived from
a mortgage loan closed simultaneously
herewith. (u) (u)

IN WITNESS WHEREOF, the said GRANTOR, by its Trustees, GREGG P. CARY AND JO ANN W. CARY, who are authorized to execute this conveyance, have hereto set their signatures and seals, this 15th day of December, 2000.

GREGG P. CARY and JO ANN W. CARY, Trustees,
or their successors in trust, under the GREGG AND
JO ANN CARY LIVING TRUST, dated October 11,
1999 and any amendments thereto

 (SEAL)
By: Gregg P. Cary
Its: Trustee

 (SEAL)
By: Jo Ann W. Cary
Its: Trustee

THE STATE OF ALABAMA)
:
COUNTY OF SHELBY)

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Gregg P. Cary and Jo Ann Cary, whose names as Trustees of GREGG AND JO ANN CARY LIVING TRUST dated October 11, 1999 and any amendments thereto, are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, they, as such trustees and with full authority, executed the same voluntarily for and as the act of said Trust.

Given under my hand and official seal this 15th day of December, 2000.


NOTARY PUBLIC
My commission expires:

EXHIBIT "A"

A parcel of land lying partially in the SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 35, Township 19 South, Range 1 West, and partially in the NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 2, Township 20 South, Range 1 West, more particularly described as follows:

Beginning at the SW Corner of the SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 35, Township 19 South, Range 1 West and run North along the West line of the SE $\frac{1}{4}$ of SW $\frac{1}{4}$ a distance of 450 feet; thence turning an angle of 110° to right a distance of 480 feet; thence turning an angle of 70° to the right a distance of 550 feet to a point in the centerline of the Shelby County gravel road; thence in a Southwesterly direction and a Northwesterly direction along the centerline of said gravel road a distance of 520 feet, more or less, to the intersection with the West line of the NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 2, Township 20 South, Range 1 West; thence North along the West line of said NE $\frac{1}{4}$ of NW $\frac{1}{4}$ a distance of 230 feet to point of beginning; being situated in Shelby County, Alabama.

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