

**SEND TAX NOTICES TO:**

WESLEY W. FORTNER, III & MORONICA FORTNER  
130 SUGARBERRY DRIVE  
MAYLENE, AL 35114

**WARRANTY DEED**

STATE OF ALABAMA            )  
COUNTY OF SHELBY         )

**KNOW ALL MEN BY THESE PRESENTS**, that in consideration of the sum of One Hundred Seventy-Four Thousand Nine Hundred and No/100 Dollars (\$ 174,900.00) to the undersigned grantors, in hand paid by the grantee herein, the receipt of which is hereby acknowledged, **BILL CLECKLEY CONSTRUCTION and FRAMING, INC.** (herein referred to as "Grantor"), hereby grants, bargains, sells, and conveys unto **WESLEY W. FORTNER, III & MORONICA FORTNER**, (herein referred to as "Grantee") as joint tenants with rights of survivorship, the following described real estate situated in Shelby County, Alabama, to wit:

The property described on Exhibit A attached hereto and incorporated herein by this reference.

Subject to all easements, restrictions, covenants, rights of way and covenants of record; taxes for 2001 and subsequent years not yet due and payable.

\$166,000.00 of the purchase price recited herein was paid from the proceeds of a mortgage loan closed simultaneously herewith.

**TO HAVE AND TO HOLD** the described premises to Grantees, as joint tenants with right of survivorship, their heirs, executors, successors 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 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 THE GRANTOR** does for itself, successors and assigns, covenant with said Grantee, their heirs, executors, successors and assigns, that Grantor is lawfully seized in fee simple of the premises, that they are free from all encumbrances, unless otherwise noted above, that Grantor has good right to sell and convey the same as aforesaid, and that Grantor will and its successors and assigns shall warrant and defend same to said Grantee, their heirs, executors, successors and assigns forever, against the lawful claims of all persons.

**IN WITNESS WHEREOF**, the Grantor has signed and sealed this Deed on the 8th day of January, 2001.

**BILL CLECKLEY CONSTRUCTION and FRAMING, INC.**

BY: Bill Cleckley  
(GRANTOR) **BILL CLECKLEY**  
Its: President

STATE OF ALABAMA            )  
JEFFERSON COUNTY         )

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Bill Cleckley, whose name as President of Bill Cleckley Construction and Framing, Inc., is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that being informed of the contents of said instrument, he, as such Officer, and with full authority, executed the same voluntarily, as an act of said corporation.

Given under my hand and official seal, this 8th day of January, 2001.

Anne R. Strickland

NOTARY PUBLIC Anne R. Strickland  
My Commission Expires: 5/11/01

THIS INSTRUMENT PREPARED BY:  
Anne R. Strickland, Attorney at Law  
5330 Stadium Trace Parkway, Suite 250  
Birmingham, AL 35244

Inst # 2001-00955

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01/10/2001-00955  
11:49 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 CJ1 23.00

EXHIBIT "A"

THAT CERTAIN PROPERTY DESCRIBED AS FOLLOWS:

Lot 130, according to the Survey of Lake Forest, First Sector, as recorded in Map Book 24 page 62 in the Probate office of Shelby County, Alabama; being situated in Shelby County, Alabama.

LESS AND EXCEPT the following described portion: Begin at the common front lot corner of Lot 130 and Lot 131, Lake Forest, First Sector, as recorded in Map Book 24 page 62, Shelby County, Alabama; thence run Northwesterly along said common lot line for a distance of 40.00 feet to a point; thence turn an angle to the right of 167 deg. 16 min. 58 sec. and run Southeasterly for 40.88 feet, more or less, to a point on the Westerly right of way of Sugarberry Drive, said point being on a curve having a radius of 325.00 feet, a central angle of 01 deg. 35 min. 12 sec. and curving to the right in a Southwesterly to Westerly direction; thence run along the arc of said curved right of way for an arc distance of 9.00 feet to the point of beginning; being situated in Shelby County, Alabama.

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