

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was prepared by:

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Attorneys at Law
5 Riverchase Ridge, Suite 100
Birmingham, Alabama 35244

SEND TAX NOTICE TO:

ROBERT J. MOELLER
1986 CHANDALAR CT
PELHAM, AL 35124

Inst # 2001-09452

03/16/2001-09452
10:55 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
28.50
002 MEL

STATE OF ALABAMA)

COUNTY OF SHELBY)

JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

WARRANTY DEED

Know All Men by These Presents: That in consideration of SEVENTY TWO THOUSAND and 00/100 (\$72,000.00) DOLLARS to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, NORBERT L. CUTLER and JOANN P. CUTLER, HUSBAND AND WIFE AND SUZANNE E. GENTRY, AN UNMARRIED PERSON (herein referred to as GRANTORS) do grant, bargain, sell and convey unto ROBERT J. MOELLER and MARY JO MOELLER, 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:

UNIT "B", IN BUILDING II, ACCORDING TO THE SURVEY OF CHANDALAR SOUTH TOWNHOMES, AS RECORDED IN MAP BOOK 7, PAGE 166, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

SUBJECT TO:

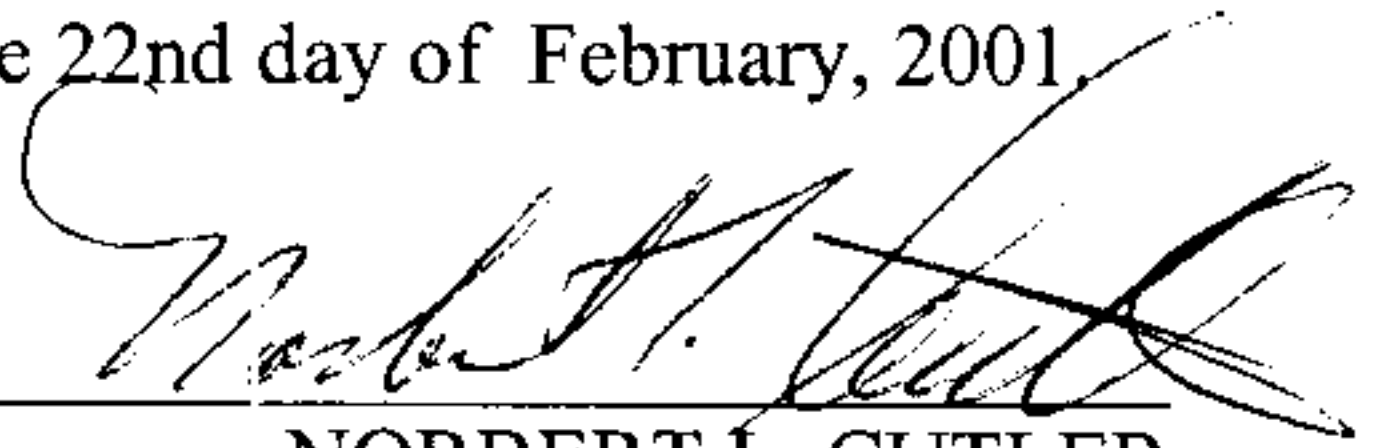
1. TAXES FOR THE YEAR BEGINNING OCTOBER 1, 2000 WHICH CONSTITUTES A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 2001.
2. RESTRICTIONS AS SHOWN ON RECORDED MAP.
3. TITLE TO ALL MINERALS WITHIN AND UNDERLYING THE PREMISES, TOGETHER WITH ALL MINING RIGHTS AND OTHER RIGHTS, PRIVILEGES AND IMMUNITIES RELATING THERETO AS RECORDED IN SHELBY INST. #1998-47920.
4. RESTRICTIONS AND COVENANTS APPEARING OF RECORD IN REAL 323, PAGE 72.

\$57,600.00 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, NORBERT L. CUTLER and JOANN P. CUTLER, HUSBAND AND WIFE, AND SUZANNE E. GENTRY, AN UNMARRIED PERSON have hereunto set his, her or their signature(s) and seal(s), this the 22nd day of February, 2001.


NORBERT L. CUTLER


JOANN P. CUTLER

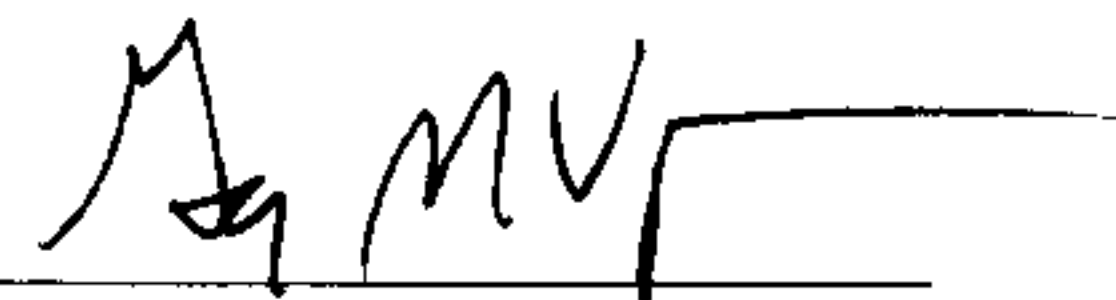

SUZANNE E. GENTRY

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that NORBERT L. CUTLER and JOANN P. CUTLER, HUSBAND AND WIFE, AND SUZANNE E. GENTRY, AN UNMARRIED PERSON 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 22nd day of February, 2001.


Notary Public

My commission expires: 9.29.02

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