

STATUTORY WARRANTY DEED

This instrument was prepared by

Send Tax Notice To: Frank A Marino

(Name) Larry L. Halcomb
3512 Old Montgomery Highway
 (Address) Birmingham, Alabama 35209

name 202 Beaver Crest Circle
 address Pelham, Alabama 35124

CORPORATION FORM WARRANTY DEED, JOINTLY FOR LIFE WITH REMAINDER TO SURVIVOR

STATE OF ALABAMA
 COUNTY OF SHELBY

KNOW ALL MEN BY THESE PRESENTS,

That in consideration of ONE HUNDRED EIGHTY THREE THOUSAND FORTY FIVE AND NO/100 (183,045.00)

to the undersigned grantor, Harbar Construction Company, Inc.

(herein referred to as GRANTOR), 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

Frank A. Marino and Josephine A. Marino

(herein referred to as GRANTEES) for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, together with every contingent remainder and right of reversion, the following described real estate, situated in Shelby County, Alabama to-wit:

See Legal Description on attached Exhibit "A".

Minerals and mining rights excepted.

Subject to taxes for 2001.

Subject to restrictions as shown on recorded map.

Subject to right of way granted to Alabama Power Company recorded in Inst. No. 2000-23179.

Subject to restrictions and covenants appearing of record in Inst. No. 1998-29313 and Inst. No. 2000-19725.

Subject to easement as recorded in Inst. NO. 1997-34735.

Subject to right of way granted to Alabama Power Company recorded in Volume 263, Page 46 and Inst. No. 2000-23197.

Subject to restrictions and covenants appearing of record in Inst. No. 2000-38708.

Inst # 2001-38578

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 SHELBY COUNTY JUDGE OF PROBATE

\$ 175,000.00 of the purchase price was paid from the proceeds of a mortgage loan closed simultaneously herewith.

TO HAVE AND TO HOLD, To the said GRANTEES for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, and to the heirs and assigns of such survivor forever, together with every contingent remainder and right of reversion.

IN WITNESS WHEREOF, the said GRANTOR, by its Vice President, Denney Barrow who is authorized to execute this conveyance, has hereto set its signature and seal, this the 30th day of August 19 2001

ATTEST:

Harbar Construction Company, Inc.

By Denney Barrow
 Denney Barrow, Vice President

STATE OF ALABAMA
 COUNTY OF JEFFERSON

I, Larry L. Halcomb, a Notary Public in and for said County in said State, hereby certify that Denney Barrow whose name as Vice President of Harbar Construction Company, Inc. a corporation, 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, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation,

Given under my hand and official seal, this the 30th day of August 19 2001

Larry L. Halcomb
 Larry L. Halcomb

Notary Public

My Commission Expires: 1/23/02

EXHIBIT A

Lot 40, Beaver Creek Preserve Third Sector, as recorded in Map Volume 27, Page 91, in the Office of the Judge of Probate of Shelby County, Alabama, LESS AND EXCEPT the following described part of said Lot 40;

Beginning at an existing iron rebar being the locally accepted Northeast corner of said Lot 40 and run in a Southeasterly direction, along the East line of said Lot 40, for a distance of 47.0 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the right of 168 degrees 25 minutes 50 seconds and run in a Northwesterly direction for a distance of 49.38 feet to an existing iron rebar set by Laurence D. Weygand and being on the North line of said Lot 40 and being 10.0 feet West of the point of beginning; thence turn an angle to the right of 109 degrees 30 minutes 16 seconds and run in a Northeasterly direction, along the North line of said Lot 40 for a distance of 10.0 feet, more or less to the point of beginning.

ALSO, including the following part of Lot 41

Beginning at an existing iron rebar being the locally accepted Northwest corner of said Lot 40, run in a Southerly direction, along the West line of said Lot 40 for a distance of 58.77 feet to an existing iron rebar set by Laurence D. Weygand; thence turn an angle to the right of 168 degrees 21 minutes 33 seconds and run in a Northwesterly direction for a distance of 59.40 feet to an existing iron rebar set by Laurence D. Weygand being on the North line of Lot 41 in said Beaver Creek Preserve Third Sector and being 12.0 feet West of the point of beginning; thence turn an angle to the right of 98 degrees 48 minutes 38 seconds and run in a Easterly direction, along the North line of said Lot 41, for a distance of 12.0 feet, more or less, to the point of beginning.

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