

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was prepared by:

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Attorneys at Law  
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Birmingham, Alabama 35244

SEND TAX NOTICE TO:

PAUL N. KELLY  
2405 BLUE BIRD CIRCLE  
BIRMINGHAM, AL 35244

Inst # 2001-39783

09/14/2001-39783  
08:21 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 CH 15.00

STATE OF ALABAMA)

COUNTY OF SHELBY)

**JOINT TENANTS WITH RIGHT OF SURVIVORSHIP**

**WARRANTY DEED**

**Know All Men by These Presents:** That in consideration of ONE HUNDRED SIXTY EIGHT THOUSAND NINE HUNDRED DOLLARS and 00/100 (\$168,900.00) DOLLARS to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, PHYLLIS HULSEY and GARY HULSEY, WIFE AND HUSBAND (herein referred to as GRANTORS) do grant, bargain, sell and convey unto PAUL N. KELLY AND JULIE KELLY, 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 4, ACCORDING TO THE MAP AND SURVEY OF AUDUBON FOREST, AS FOREST, AS RECORDED IN MAP BOOK 8, PAGE 126, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

SUBJECT TO:

1. TAXES FOR THE YEAR 2001 WHICH CONSTITUTE A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 2001.
2. TITLE TO ALL MINERALS WITHIN AND UNDERLYING THE PREMISES, TOGETHER WITH ALL MINING RIGHTS AND OTHER RIGHTS, PRIVILEGES, IMMUNITIES AND RELEASE OF DAMAGES RELATING THERETO AS RECORDED IN DEED BOOK 4, PAGE 553.
3. RIGHT OF WAY GRANTED TO ALABAMA POWER COMPANY BY INSTRUMENT(S) RECORDED IN BOOK 6, PAGE 475.
4. RESTRICTIONS AS SHOWN ON RECORDED MAP.
5. 30 FOOT BUILDING LINE FROM BLUEBIRD CIRCLE; 10 FOOT UTILITY EASEMENT ALONG THE SOUTHERLY AND SOUTHWESTERLY LOT LINES, AS SHOWN ON RECORDED PLAT.

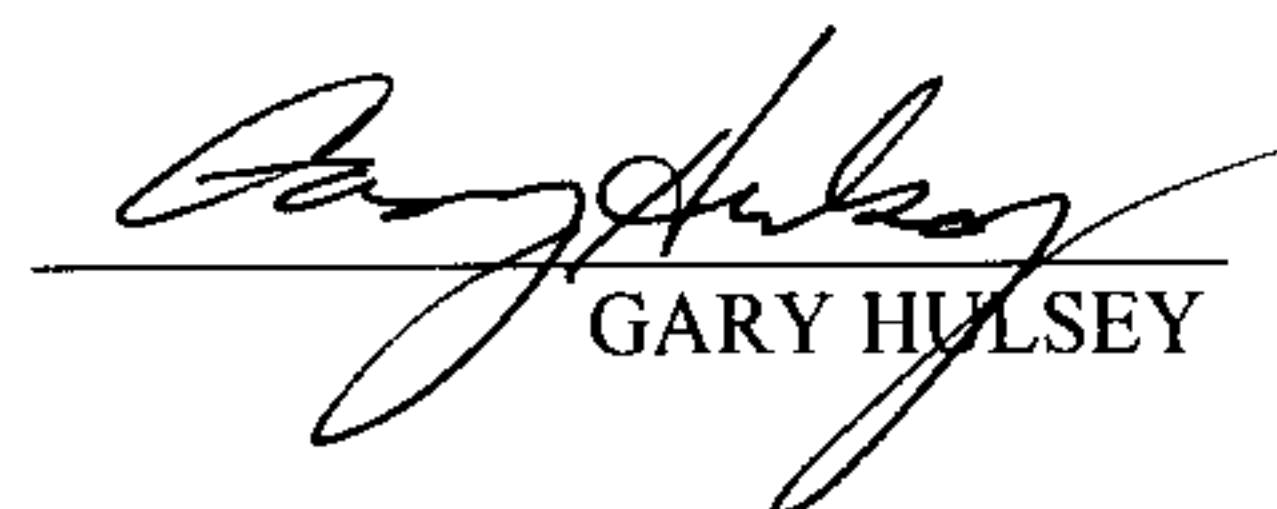
\$173,300.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

**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, PHYLLIS HULSEY and GARY HULSEY, WIFE AND HUSBAND, have hereunto set his, her or their signature(s) and seal(s), this the 31st day of August, 2001.

  
PHYLLIS HULSEY


  
GARY HULSEY

STATE OF ALABAMA)  
COUNTY OF SHELBY)

#### ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that PHYLLIS HULSEY and GARY HULSEY, WIFE AND HUSBAND, 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 31st day of August, 2001.

  
Notary Public

My commission expires: 01/16/04

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