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(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was
prepared by:

SEND TAX NOTICE TO:

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

BENJAMIN O. MCCLURKIN
650 FOREST LAKES DRIVE
CHELSEA, AL 35043

STATE OF ALABAMA)

COUNTY OF SHELBY)

Inst # 2002-10480

03/05/2002-10480
09:48 AM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE
002 #EL 31.50

JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

STATUTORY WARRANTY DEED

Know All Men by These Presents: That in consideration of ONE HUNDRED FORTY NINE THOUSAND FOUR HUNDRED and 00/100 (\$149,400.00) to the undersigned grantor, AMERICAN HOMES AND LAND CORPORATION 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 BENJAMIN O. MCCLURKIN and ANDREA WOOD MCCLURKIN, 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 13, ACCORDING TO THE MAP AND SURVEY OF FOREST LAKES, SECTOR 1, AS RECORDED IN MAP BOOK 28, PAGE 94, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

SUBJECT TO:

1. TAXES FOR THE YEAR BEGINNING OCTOBER 1, 2001 WHICH CONSTITUTES A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 2002.
2. RESERVATION OF MINERAL AND MINING RIGHTS IN THE INSTRUMENT RECORDED IN DEED BOOK 331, PAGE 262, TOGETHER WITH THE APPURTENANT RIGHTS TO USE THE SURFACE.
3. PERMIT TO ALABAMA POWER COMPANY AS RECORDED IN DEED BOOK 139, PAGE 127; DEED BOOK 236, PAGE 829; DEED BOOK 126, PAGE 191; DEED BOOK 126, PAGE 323 AND DEED BOOK 124, PAGE 519.
4. RIGHT OF WAY TO SHELBY COUNTY AS RECORDED IN DEED BOOK 228, PAGE 339.
5. RESTRICTIONS AS RECORDED ON MAP BOOK 28, PAGE 94.
6. 15-FOOT BUILDING SETBACK LINE FROM FOREST LAKE DRIVE; 7.5 FOOT EASEMENT ALONG THE NORTHEAST PROPERTY LINE AND VARIABLE EASEMENT ACROSS REAR OF SAID LOT AS SHOWN ON RECORDED MAP OF SAID SUBDIVISION.
7. TERMS, PROVISIONS, COVENANTS, CONDITIONS, RESTRICTIONS, EASEMENTS, CHARGES, ASSESSMENTS AND LIENS PROVIDED IN THE COVENANTS, CONDITIONS AND RESTRICTIONS RECORDED IN INSTRUMENT #2001-9358 AND INSTRUMENT #2001-47360.

\$132,244.00 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.

IN WITNESS WHEREOF, the said GRANTOR, AMERICAN HOMES AND LAND CORPORATION, by its VICE PRESIDENT, BRIAN K. THOMAS who is authorized to execute this conveyance, has hereunto set its signature and seal, this the 28th day of February, 2002.

AMERICAN HOMES AND LAND CORPORATION
By: 
BRIAN K. THOMAS, VICE PRESIDENT

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that BRIAN K. THOMAS, whose name as VICE PRESIDENT of AMERICAN HOMES AND LAND CORPORATION, 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 or she, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand this the 28th day of February, 2002.



Notary Public

My commission expires: 9.29.08

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