

7267

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was prepared by:

R. Shan Paden
PADEN & PADEN
Attorneys at Law
5 Riverchase Ridge, Suite 100
Birmingham, Alabama 35244

SEND TAX NOTICE TO:

ROBERT R. MCCAIN
447 LIBERTY RD.
CHELSEA, AL 35043

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 EIGHTY SEVEN THOUSAND FIVE HUNDRED and 00/100 (\$187,500.00) DOLLARS to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, RICHARD T. LAMBRUSCHI and REBECCA LAMBRUSCHI, HUSBAND AND WIFE (herein referred to as GRANTORS) do grant, bargain, sell and convey unto ROBERT R. MCCAIN and KIMB. MCCAIN, 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 3, ACCORDING TO THE SURVEY OF COUNTRYSIDE AT CHELSEA, AS RECORDED IN MAP BOOK 9, PAGE 49, IN THE OFFICE OF THE JUDGE OF PROBATE OF SHELBY COUNTY, ALABAMA.

SUBJECT TO:

1. TAXES FOR THE YEAR BEGINNING OCTOBER 1, 2001 WHICH CONSTITUTES ALIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 2002.
2. 35-FOOT BUILDING SETBACK LINE FROM LIBERTY ROAD; 10-FOOT EASEMENT ALONG REAR AND A 10-FOOT EASEMENT ALONG THE WEST PROPERTY LINE AS RECORDED IN MAP BOOK 9, PAGE 419.
3. TRANSMISSION LINE PERMIT TO ALABAMA POWER COMPANY AS RECORDED IN REAL BOOK 15, PAGE 899; DEED BOOK 136, PAGE 308 AND DEED BOOK 133, PAGE 419.
4. TRANSMISSION LINE PERMIT TO ALABAMA POWER COMPANY FOR UNDERGROUND CABLE AS RECORDED IN DEED BOOK 129, PAGE 515 AND REAL BOOK 120, PAGE 316.
5. COVENANTS, CONDITIONS, AND RESTRICTIONS (PROVISIONS, IF ANY, BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS OR NATIONAL ORIGIN ARE OMITTED) AS SET FORTH IN INSTRUMENT DOCUMENT RECORDED IN REAL BOOK 21, PAGE 332.
6. RIGHT OF WAY TO SHELBY COUNTY AS RECORDED IN DEED BOOK 287, PAGE 804.

7. OIL, GAS, AND MINERALS AND ALL OTHER SUBSURFACE INTERESTS IN, TO OR UNDER THE LAND HEREIN DESCRIBED.

\$145,000.00 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, RICHARD T. LAMBRUSCHI and REBECCA LAMBRUSCHI, HUSBAND AND WIFE, have hereunto set his, her or their signature(s) and seal(s), this the 30th day of May, 2002.


RICHARD T. LAMBRUSCHI

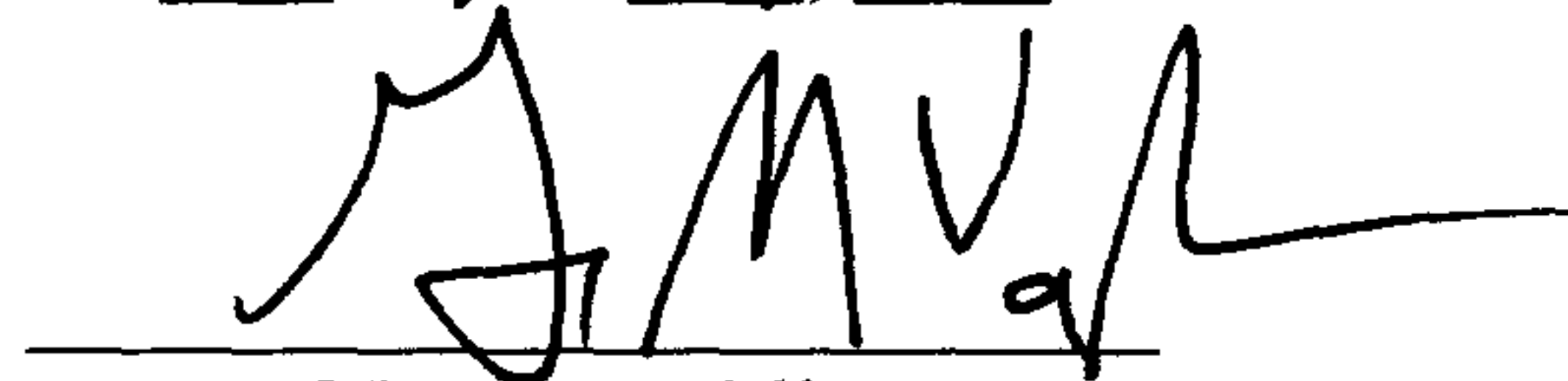

REBECCA LAMBRUSCHI

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that RICHARD T. LAMBRUSCHI and REBECCA LAMBRUSCHI, HUSBAND AND WIFE, 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 30th day of May, 2002.


Notary Public

My commission expires: 9.29.02