

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was prepared by:

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2125 Morris Avenue
Birmingham, Alabama 35203

STATE OF ALABAMA)
COUNTY OF SHELBY)

SEND TAX NOTICE TO:

GENE WHITLEY

2109 Lake Heather Way
Birmingham, AL 35242

WARRANTY DEED
JOINTLY WITH RIGHT OF SURVIVORSHIP

Know All Men by These Presents: That in consideration of **FIVE HUNDRED AND NO/100 (\$500.00) DOLLARS** to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, I (we), **TOTAL SERVICES, INC.** (herein referred to as GRANTOR) do grant, bargain, sell and convey unto **GENE WHITLEY AND LINDA WHITLEY, HUSBAND AND WIFE**, (herein referred to as GRANTEES, whether one or more) the following described real estate, situated in **SHELBY** County, Alabama, to-wit:

SEE EXHIBIT "A" ATTACHED.

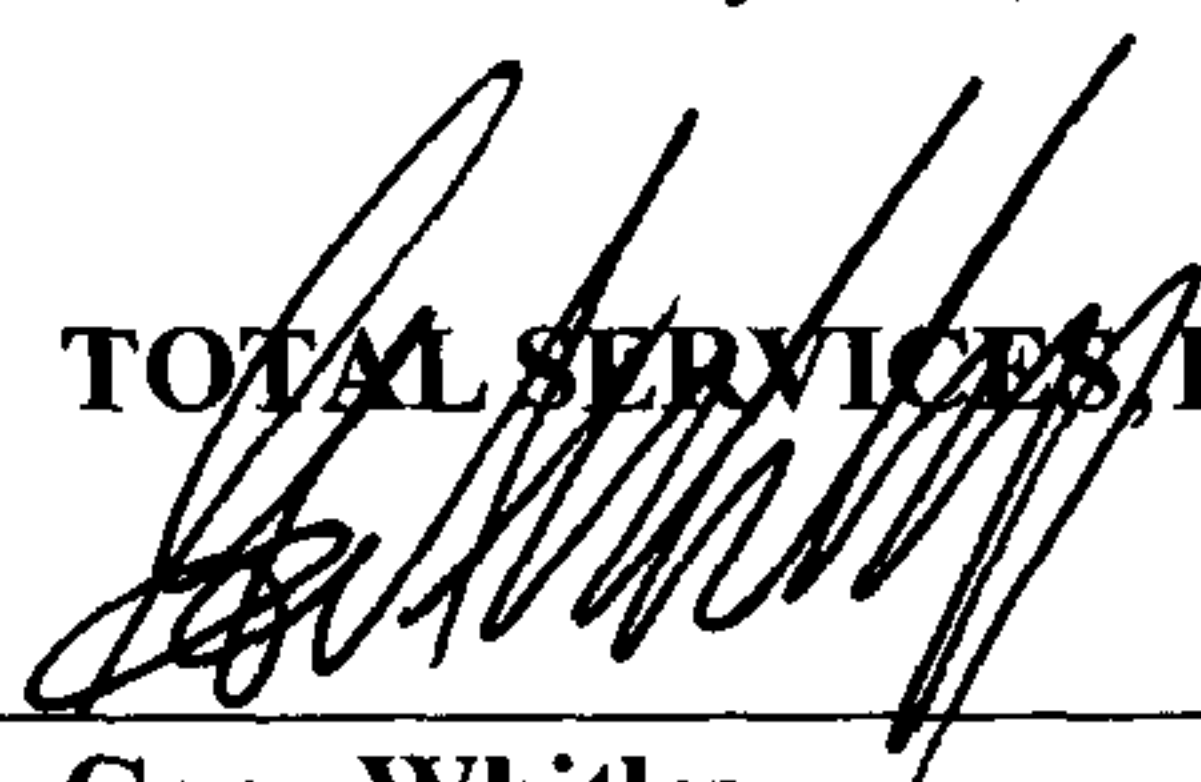
SUBJECT TO:

1. Subject to the taxes for the year beginning October 1, 2001, which constitutes a lien, but are not yet due and payable until October 1, 2002.
2. All easements, restrictions, covenants and right of ways of record.

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 GRANTOR, **TOTAL SERVICES, INC.**, BY ITS **PRESIDENT, GENE WHITLEY**, who is authorized to execute this conveyance, has hereunto set its signature and seal, this the **3RD** day of **JULY, 2002**.

TOTAL SERVICES, INC.
By: 
Gene Whitley
Its: President

STATE OF ALABAMA)
COUNTY OF Jefferson)

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that **GENE WHITLEY**, whose name as **PRESIDENT** of **TOTAL SERVICES, INC.**, a limited liability company, 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 company.

Given under my hand and seal on this the 3rd day of **JULY, 2002**.

[Signature] Notary Public

My Commission Expires: 5-21-04

EXHIBIT "A"

LOT 13, ACCORDING TO THE SURVEY OF LAKE HEATHER ESTATES (GIVIANPOUR'S ADDITION TO INVERNESS) AS RECORDED IN MAP BOOK 16, PAGE 121 A/B/C, IN THE OFFICE OF THE JUDGE OF PROBATE OF SHELBY COUNTY, ALABAMA, TOGETHER WITH AN NONEXCLUSIVE EASEMENT TO USE THE PRIVATE ROADWAYS, ACCESS EASEMENTS AND OTHER EASEMENTS, ALL AS MORE PARTICULARLY DESCRIBED IN THE DECLARATION OF PROTECTIVE COVENANTS FOR LAKE HEATHER ESTATES RECORDED AT INST. #1992-18226, AS AMENDED BY INST. #1992-26078, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.