

7588

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was
prepared by:

SEND TAX NOTICE TO:

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

BRYAN MONTALBANO
9340 HELENA ROAD SUITE H
BIRMINGHAM, AL 35244

STATE OF ALABAMA)

COUNTY OF SHELBY)

WARRANTY DEED

Know All Men by These Presents: That in consideration of TWENTY NINE THOUSAND NINE HUNDRED TWENTY FIVE DOLLARS and 00/100 (\$29,925.00) to the undersigned grantor, FIRST UNION INVESTORS, L.L.C. an Alabama Limited Liability company, 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 BRYAN MONTALBANO, (herein referred to as GRANTEES, whether one or more) the following described real estate, situated in SHELBY County, Alabama, to-wit:

LOT 4, ACCORDING TO THE SURVEY OF CHESTNUT FOREST, AS RECORDED IN MAP BOOK 22,PAGE 98, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

SUBJECT TO:

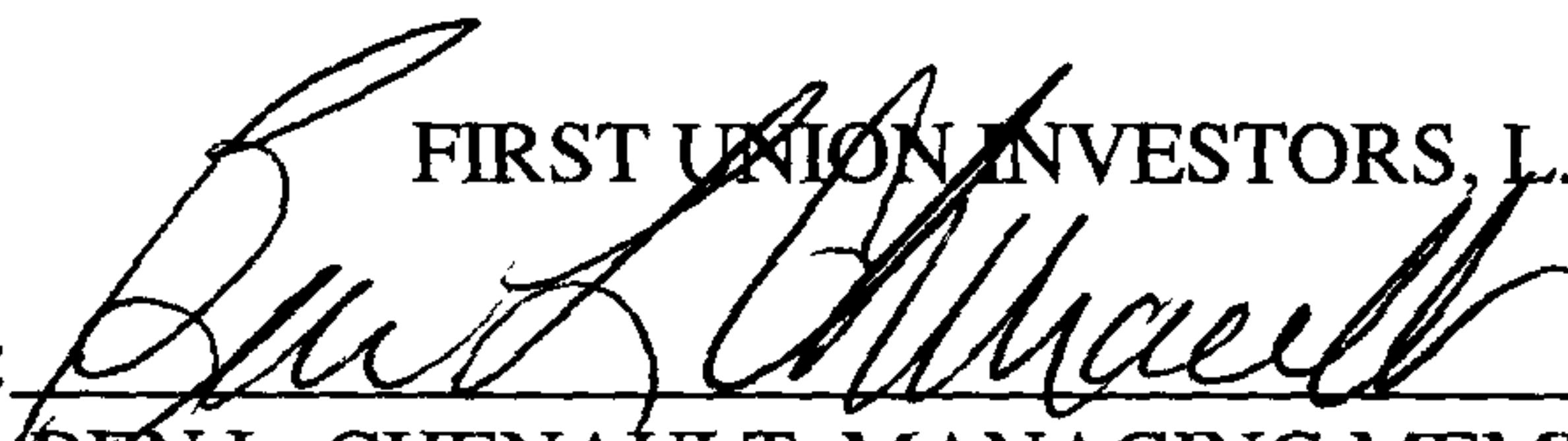
1. TAXES FOR THE YEAR BEGINNING OCTOBER 1, 2001 WHICH CONSTITUTES A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1,2002.
2. EASEMENTS AND BUILDING LINE AS SHOWN ON RECORDED MAP.
3. TITLE TO ALL MINERALS WITHIN AND UNDERLYING THE PREMISES, TOGETHER WITH ALL MINING RIGHTS AND OTHER RIGHTS, PRIVILEGES, IMMUNITIES AND RELEASE OF DAMAGES RELATING THERETO, AS RECORDED IN DEED BOOK 357, PAGE 81.
4. OIL, GAS AND MINERAL LEASE IN DEED BOOK 339, PAGE 146 AND AMENDED IN MISC. BOOK 55, PAGE 151.
5. RIGHT OF WAY TO SHELBY COUNTY IN DEED BOOK 221, PAGE 351.
6. RESTRICTIONS APPEARING OF RECORD IN INSTRUMENT #1997-17943.
7. COVENANTS REGARDING ALTERNATIVE ONSITE SEWAGE DISPOSAL SYSTEM IN INSTRUMENT #1999-7877.

\$.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

TO HAVE AND TO HOLD Unto the said GRANTEES, their heirs and assigns, forever.

And said GRANTOR does for itself, its successors and assigns, covenant with the said GRANTEES, his, her, or their heirs and assigns, that it is lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that it has a good right to sell and convey the same as aforesaid, and that it will and its successors and assigns 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, FIRST UNION INVESTORS, L.L.C., by its MANAGING MEMBER, BEN L. CHENAULT who is authorized to execute this conveyance, has hereunto set its signature and seal, this the 16th day of August, 2002.

By:  FIRST UNION INVESTORS, L.L.C.
BEN L. CHENAULT, MANAGING MEMBER

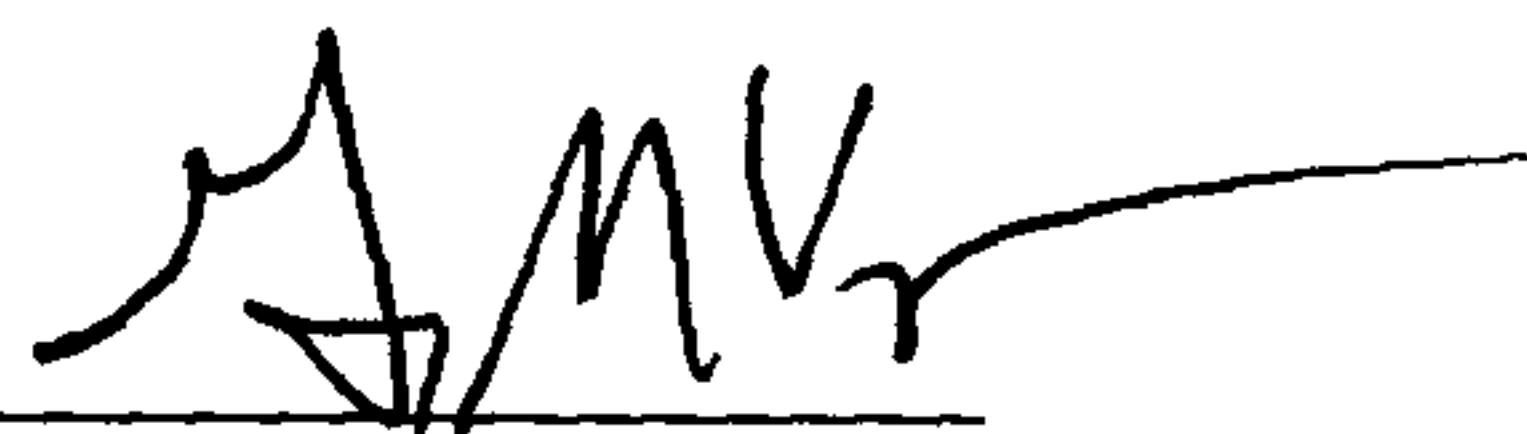
STATE OF ALABAMA)

COUNTY OF SHELBY)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that BEN L. CHENAULT, whose name as MANAGING MEMBER of FIRST UNION INVESTORS, L.L.C., an Alabama 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 or she, as such officer and with full authority, executed the same voluntarily for and as the act of said limited liability company.

Given under my hand this the 16th day of August, 2002.


Notary Public

My commission expires: 9.29.02