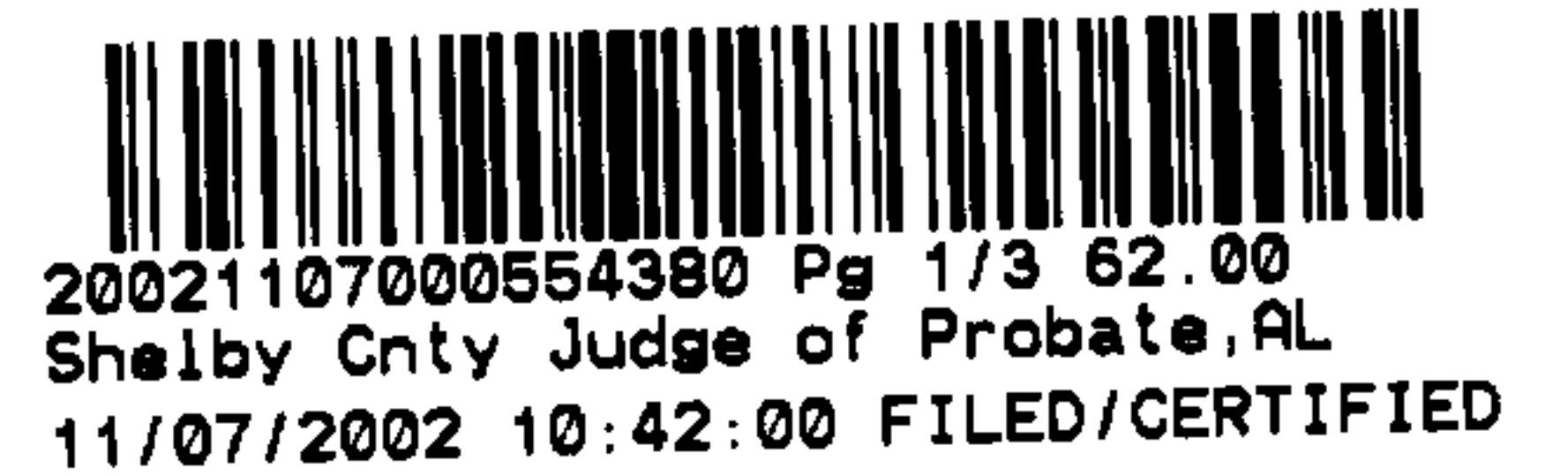


80210-1008



(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was prepared by:

SEND TAX NOTICE TO:

Donna M. Jennings
NAJJAR DENABURG, P.C.
2125 Morris Avenue
Birmingham, Alabama 35203

Jonathan Valencia and Faye Valencia
608 Conroy Lane
Sterrett, AL 35147

STATE OF ALABAMA)
COUNTY OF **SHELBY**)

WARRANTY DEED
JOINTLY WITH RIGHT OF SURVIVORSHIP

Know All Men by These Presents: That in consideration of **TWO HUNDRED THIRTY NINE THOUSAND NINE HUNDRED AND NO/100 DOLLARS (\$239,900.00)**, to the undersigned **MIKE MITCHELL HOMES, LLC**, a limited liability company ("Grantor"), in hand paid by the **GRANTEES** herein, the receipt of which is acknowledged, Grantor hereby grants, bargains, sells and conveys unto **JONATHAN VALENCIA AND FAYE VALENCIA**, Husband and Wife (collectively, the "Grantees") the following described real estate, situated in **SHELBY** County, Alabama, to-wit:

Lot 639, according to the Survey of Forest Parks-6th Sector, 2nd Phase, as recorded in Map Book 24, Page 110, and Instrument No. 1998-42209, in the Probate Office of Shelby County, Alabama.

SUBJECT TO:

1. Subject to the taxes for the year beginning October 1, 2002, which constitutes a lien, but are not yet due and payable until October 1, 2003.
2. Restrictions appearing of record in Instrument # 1998-38885 and Instrument #1998-42210.
3. Right of Way to Shelby County as recorded in Volume 228, Page 341; Volume 228, Page 339; Volume 236, Page 829 and Instrument #1993-3962.
4. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto, together with any release of liability for injury or damage to persons or property as a result of the exercise of such rights as recorded in Volume 322, Page 986; Real Volume 50, Page 716; Real Volume 50, Page 712; Real Volume 50, Page 720; Real Volume 50, Page 724; Real Volume 50, Page 965; Real Volume 50, Page 969; Real Volume 50, Page 977, Real Volume 50, Page 973; Volume 53, Page 262 and Volume 81, Page 519.
5. Terms, conditions, covenants, easements and release of damages as recorded in Instrument #1996-31156.
6. Agreement as recorded in Volume 334, Page 585.
7. Easements and right of way as recorded in Volume 287, Page 888.
8. Covenants as to sanitary sewer as recorded in Instrument #1997-25449 and Instrument #1997-25446.

\$191,900.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

Mike Mitchell Homes, L.L.C., Mike Mitchell Homes, LLC and Mike Mitchell Homes are all one and the same.

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 said Grantor does for itself, its successors and assigns, covenant with the said Grantee, their heirs and assigns, that Grantor is lawfully seized in fee simple of the premises; that they are free from all encumbrances, unless noted above, that it has a good right to sell and convey the same as aforesaid; that Grantor will and its successors and assigns shall, warrant and defend the same to the said Grantee, their heirs, successors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, Mike Mitchell Homes, LLC by William M. Mitchell as its Managing Member, is authorized to execute this conveyance, and has hereto set his signature and seal, this 25th day of October, 2002.

MIKE MITCHELL HOMES, LLC


William M. Mitchell
Its: Managing Member

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that William M. Mitchell, whose name as Managing Member of Mike Mitchell Homes, LLC, a limited liability company, are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, they, as such members and with full authority, executed the same voluntarily for and as the act of said limited liability company.

Given under my hand and official seal this 25th day of October, 2002.



Notary Public
My Commission Expires: 1/28/06

EXHIBIT A

Legal Description

LOT 639, ACCORDING TO THE SURVEY OF FOREST PARKS-6TH SECTOR, 2ND PHASE, AS RECORDED IN MAP BOOK 24, PAGE 110, AND INSTRUMENT NO. 1998-42209, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA