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(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was prepared by:

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SEND TAX NOTICE TO:

PETER ALFINITO
101 CRESTMONT LANE
PELHAM, AL 35124

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 FORTY FOUR THOUSAND NINE HUNDRED FIFTY and 00/100 (\$144,950.00) DOLLARS to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, MYRON V. BOTTS, AN UNMARRIED PERSON (herein referred to as GRANTORS) do grant, bargain, sell and convey unto PETER ALFINITO and BARBARA DUNN ALFINITO, 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 46, ACCORDING TO A RESURVEY OF CRESTMONT, AS RECORDED IN MAP BOOK 22, PAGE 30, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

SUBJECT TO:

1. TAXES FOR THE YEAR BEGINNING OCTOBER 1, 2002 WHICH CONSTITUTES A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 2003.
2. RIGHTS OF WAY TO ALABAMA POWER COMPANY AS RECORDED IN DEED BOOK 101, PAGE 514, AND DEED BOOK 120, PAGE 264.
3. 10 FOOT BUILDING SETBACK LINE, 20 FOOT BUFFER AROUND REAR, AND RESTRICTIONS AS SHOWN BY THE RECORDED MAP.
4. RESTRICTIONS, CONDITIONS, COVENANTS AND LIMITATIONS AS SET OUT IN THOSE CERTAIN INSTRUMENT RECORDED IN INSTRUMENT #1996-41131 AND INSTRUMENT #1997-15761.
5. EASEMENT AS DESCRIBED IN INSTRUMENT #1997-02638.

MYRON V. BOTTS IS THE SOLE SURVIVING GRANTEE OF THAT CERTAIN DEED WITH SURVIVORSHIP RIGHTS RECORDED IN INSTRUMENT #1998-02753, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA, THE OTHER GRANTEE, PEGGY J. BOTTS, HAVING DIED ON OR ABOUT THE 21ST DAY OF MAY, 2002.

\$143,417.00 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, MYRON V. BOTTS, AN UNMARRIED PERSON, have hereunto set his, her or their signature(s) and seal(s), this the 20th day of December, 2002.



MYRON V. BOTTS

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that MYRON V. BOTTS, AN UNMARRIED PERSON, 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 20th day of December, 2002.


Notary Public

My commission expires: 7/1/06