

8589

(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

LEAH BRADFORD SCHULTZ
112 WAGON TRAIL
ALABASTER, AL 35007

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 THREE THOUSAND DOLLARS and 00/100 (\$103,000.00) to the undersigned grantor, CONSECO FINANCE CORP.-ALABAMA in hand paid by the GRANTEEES herein, the receipt of which is hereby acknowledged, the said GRANTOR, does by these presents, grant, bargain, sell and convey unto LEAH BRADFORD SCHULTZ and KEVIN R. SCHULTZ, HUSBAND AND WIFE, (herein referred to as GRANTEEES, as joint tenants, with right of survivorship, whether one or more) the following described real estate, situated in SHELBY County, Alabama, to-wit:

LOT 25, ACCORDING TO THE SURVEY OF APACHE RIDGE, FIFTH SECTOR, AS RECORDED IN MAP BOOK 17, PAGE 62 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA,

SUBJECT TO:

1. TAXES FOR THE YEAR BEGINNING OCTOBER 1, 2002 WHICH CONSTITUTE A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 2003.
2. ANY LOSS, CLAIM, DAMAGE, OR EXPENSE INCLUDING ADDITIONAL TAX DUE, IF ANY, ARISING FROM OR DUE TO THE FACT THAT AD VALOREM TAXES FOR SUBJECT PROPERTY HAVE BEEN PAID UNDER A CURRENT USE ASSESSMENT.
3. 35-FOOT BUILDING SET BACK LINE FROM WAGON TRAIL AS SHOWN ON RECORDED MAP OF SAID SUBDIVISION.
4. 10-FOOT UTILITY EASEMENT ACROSS THE WEST SIDE OF LOT AS SHOWN ON RECORDED MAP OF SAID SUBDIVISION.
5. TRANSMISSION LINE PERMIT TO ALABAMA POWER COMPANY AS RECORDED IN DEED BOOK 136, PAGE 398 IN PROBATE OFFICE.
6. TITLE TO MINERALS UNDERLYING CAPTION LANDS WITH MINING RIGHTS AND PRIVILEGES BELONGING THERETO.
7. EXCEPT ALL CLAY KNOWN AS "FIRE CLAY" AND "BRICK CLAY" ON AND UNDER SAID LAND AS SHOWN BY DEED RECORDED IN DEED BOOK 39, PAGE 203 IN PROBATE OFFICE.
8. RESTRICTIVE COVENANTS AS RECORDED IN INSTRUMENT #1993-18462 AND INST. #1997-33067 IN PROBATE OFFICE.

9. ALL RIGHTS OUTSTANDING BY REASON OF THE STATUTORY RIGHT OF REDEMPTION FROM THE FORECLOSURE OF THAT CERTAIN MORTGAGE GIVEN BY GREG KILLS AND MICHELE KILLS TO MORTGAGE SOLUTIONS, RECORDED IN INST. #2000-22274 AND ASSIGNED TO CONSECO FINANCE RECORDED IN INST. #2000-41752. SAID FORECLOSURE BEING EVIDENCED BY FORECLOSURE DEED TO CONSECO FINANCE CORP.-ALABAMA, RECORDED IN INST. #2003-8438, DATED JANUARY 21, 2003.

\$97,850.00 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 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, CONSECO FINANCE CORP.-ALABAMA, by _____ its _____, who is authorized to execute this conveyance, has hereunto set its signature and seal, this the 24th day of February, 2003.

CONSECO FINANCE CORP.-ALABAMA

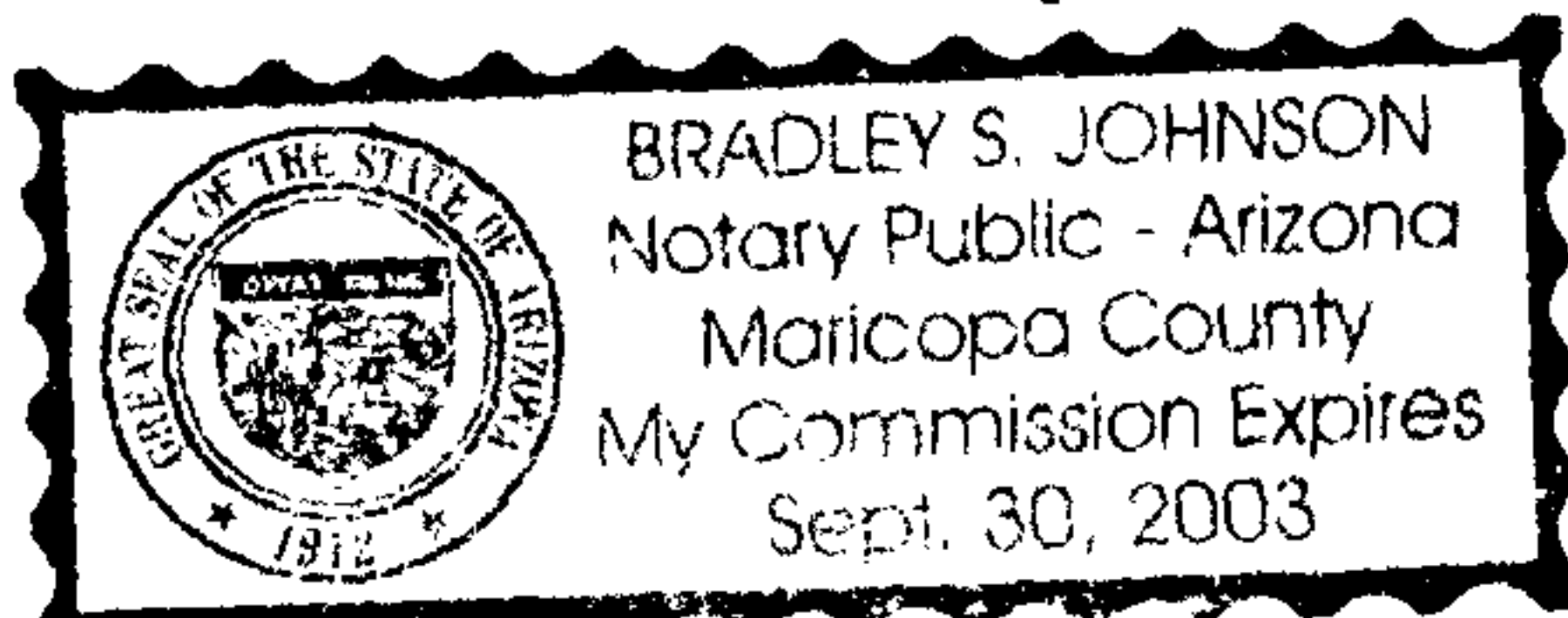
By: George Dunler
Its: Manager

STATE OF Arizona
COUNTY OF Maricopa

ACKNOWLEDGMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that George Dunler, whose name as Manager of CONSECO FINANCE CORP.-ALABAMA, a corporation, 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 corporation.

(Given under my hand this the 24th day of February, 2003.



Bradley S. Johnson
Notary Public

My commission expires: _____