

WARRANTY DEED
JOINT TENANTS WITH RIGHTS OF SURVIVORSHIP

STATE OF ALABAMA
COUNTY OF SHELBY

KNOW ALL MEN BY THESE PRESENTS, That, in consideration of \$ 167,500.00 to the undersigned Grantor(s), Calvin E. Hyer and June W. Hyer, Husband and Wife, in hand paid by the Grantees named herein, the receipt of which is hereby acknowledged, the said Grantor(s) does by these presents, grant, bargain, sell and convey unto Frederick J. Rubens and Stephanie H. Rubens (herein referred to as "Grantees") the following described real estate, situated in Shelby County, Alabama, to-wit:

Lot 17, according to the Survey of Indian Valley, Second Sector, as recorded in Map Book 5 Page 75 in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

Address of Property: 5009 Indian Valley Road
Birmingham, AL 35244

Described property to become the homestead of Grantees.

Subject to taxes for the year 2003 and subsequent years, easements, restrictions, reservations, rights-of way, limitations, covenants and conditions of record, if any, and mineral and mining rights, if any.

\$ 105,400.00 of the purchase price is being paid by the proceeds of a first mortgage loan executed and recorded simultaneously herewith.

TO HAVE AND TO HOLD, to the said Grantees for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, and to the heirs and assigns of such survivor forever, together with every contingent remainder and right of reversion. And said Grantor(s) does for itself, its successors and assigns, covenant with said Grantees, their heirs and assigns, that is lawfully seized in fee simple of said premises, that they are free from all encumbrances, 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, their heirs, executors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said GRANTOR(S), who is authorized to execute this conveyance, has hereto set its signature and seal this the 5 day of May, 20 03.

By: Calvin E. Hyer
Grantor

June W. Hyer
Grantor

STATE OF ALABAMA
COUNTY OF SHELBY

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Calvin E. Hyer and June W. Hyer, Husband and Wife, 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/they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 5 day of May, 20 03.

Debbie A. England
Notary Public
Commission Expires: 02/25/04

This Instrument Prepared By:
Kevin Hays and Associates, PC
100 Concourse Parkway, Suite 101
Birmingham, AL 35244

Send Tax Notices To:

Frederick J. Rubens
Stephanie H. Rubens
5009 Indian Valley Road
Birmingham, AL 35244