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(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was  
prepared by:

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Attorneys at Law  
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Birmingham, Alabama 35244

SEND TAX NOTICE TO:

DEREK B. STARK  
1716 FIELDSTONE CIRCLE  
HELENA, AL 35080

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 FIFTY NINE THOUSAND and 00/100 (\$159,000.00) DOLLARS to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, MICHAEL JOHN BOOTHE and LISA BOOTHE, HUSBAND AND WIFE (herein referred to as GRANTORS) do grant, bargain, sell and convey unto DEREK B. STARK and CYNTHIA R. STARK, 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 49, ACCORDING TO THE SURVEY OF SECOND SECTOR, FIELDSTONE PARK, AS RECORDED IN MAP BOOK 16, PAGE 114, 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. 30 FOOT EASEMENT AS SHOWN ON RECORDED MAP.
3. 10 FOOT EASEMENT ON REAR OF LOT AS SHOWN ON RECORDED MAP.
4. RESTRICTIONS AND COVENANTS APPEARING OF RECORD IN INSTRUMENT #1997-1423, INST. #1993-3848 AND INST. #1993-3847.
5. RIGHT OF WAY GRANTED TO ALABAMA POWER COMPANY RECORDED IN INSTRUMENT #1992-26835.
6. TITLE TO ALL MINERALS WITHIN AND UNDERLYING THE PREMISES, TOGETHER WITH ALL MINING RIGHTS AND OTHER RIGHTS, PRIVILEGES AND IMMUNITIES RELATING THERETO AS RECORDED IN REAL 347, PAGE 561 AND REAL 347, PAGE 563.

\$156,543.00 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, MICHAEL JOHN BOOTHE and LISA BOOTHE, HUSBAND AND WIFE, have hereunto set his, her or their signature(s) and seal(s), this the 23rd day of May, 2003.

X Michael John Boothe  
MICHAEL JOHN BOOTHE

X Lisa Boothe  
LISA BOOTHE

STATE OF ALABAMA)  
COUNTY OF SHELBY)

#### ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that MICHAEL JOHN BOOTHE and LISA BOOTHE, 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, or they executed the same voluntarily on the day the same bears date.

Given under my hand this the 23rd day of May, 2003.

[Signature]  
Notary Public

My commission expires: 10-2-05