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(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was prepared by:

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PADEN & PADEN  
Attorneys at Law  
5 Riverchase Ridge, Suite 100  
Birmingham, Alabama 35244

SEND TAX NOTICE TO:

ALLEN R. SHELLEY  
4040 MILNER WAY  
BIRMINGHAM, AL 35242

STATE OF ALABAMA)

COUNTY OF SHELBY)

**JOINT TENANTS WITH RIGHT OF SURVIVORSHIP**

**WARRANTY DEED**

**Know All Men by These Presents:** That in consideration of THREE HUNDRED TWENTY THREE THOUSAND FIVE HUNDRED DOLLARS and 00/100 (\$323,500.00) DOLLARS to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, KENNETH G. WALZ, JR. and SUZANNE M. WALZ, HUSBAND AND WIFE (herein referred to as GRANTORS) do grant, bargain, sell and convey unto ALLEN R. SHELLEY and SUSAN S. SHELLEY, 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 107, ACCORDING TO THE FINAL PLAT OF GREYSTONE FARMS, MILER'S CRESCENT SECTOR, PHASE II, AS RECORDED IN MAP BOOK 21, PAGE 33, 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. TITLE TO ALL MINERALS WITHIN AND UNDERLYING THE PREMISES, TOGETHER WITH ALL MINING RIGHTS AND OTHER RIGHTS, PRIVILEGES, IMMUNITIES AND RELEASE OF DAMAGES RELATING THERETO, AS RECORDED IN DEED BOOK 121, PAGE 294 AND DEED BOOK 60, PAGE 260.
3. RESTRICTIONS APPEARING OF RECORD IN INSTRUMENT #1995/16401 AND AMENDED IN INSTRUMENT #1996-1432.
4. EASEMENT TO BELLSOUTH COMMUNICATIONS IN INSTRUMENT #1995-7422.
5. AMENDED AND RESTATED RESTRICTIVE COVENANTS IN BOOK 265, PAGE 96.
6. RIGHT OF OTHERS TO USE HUGH DANIEL DRIVE IN DEED BOOK 301, PAGE 799.
7. SHELBY COUNTY CABLE AGREEMENT IN BOOK 350, PAGE 545.
8. COVENANT AND AGREEMENT FOR WATER SERVICE IS SET OUT IN BOOK 235, PAGE 574, MODIFIED IN INSTRUMENT #1992-20786 AND FURTHER MODIFIED IN INSTRUMENT #1993-20840.

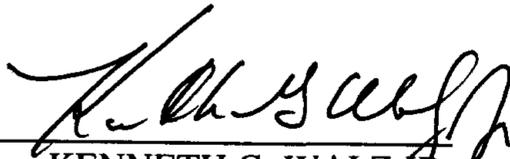
9. RIGHT(s) OF WAY TO SHELBY COUNTY, AS RECORDED IN INSTRUMENT #1994-21963 AND INSTRUMENT #1995-4395.
10. DEVELOPMENT AGREEMENT IN INSTRUMENT #1994-22318.
11. GREYSTONE FARMS RECIPROCAL EASEMENT AGREEMENT IN INSTRUMENT #1995-16400.
12. RESTRICTIONS, SET BACK LINES AND RELEASE OF DAMAGES AS SET OUT IN INSTRUMENT #1996-20562.
13. GREYSTONE FARMS COMMUNITY CENTER PROPERTY DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS RECORDED IN INSTRUMENT #1995-16403.

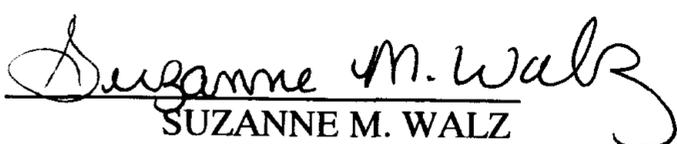
\$180,000.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

**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, KENNETH G. WALZ, JR. and SUZANNE M. WALZ, HUSBAND AND WIFE, have hereunto set his, her or their signature(s) and seal(s), this the 30th day of May, 2003.

  
KENNETH G. WALZ, JR.

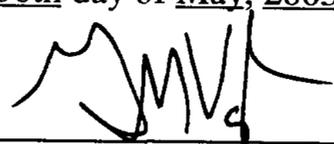
  
SUZANNE M. WALZ

STATE OF ALABAMA)  
COUNTY OF SHELBY)

#### ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that KENNETH G. WALZ, JR. and SUZANNE M. WALZ, 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 30th day of May, 2003.

  
\_\_\_\_\_  
Notary Public

My commission expires: 9.29.06