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Shelby Cnty Judge of Probate, AL
08/07/2003 13:16:00 FILED/CERTIFIED

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was
prepared by:

R. Shan Paden
PADEN & PADEN
Attorneys at Law
5 Riverchase Ridge, Suite 100
Birmingham, Alabama 35244

SEND TAX NOTICE TO:

RONALD H. MCELVEEN
2009 RUNAWAY DRIVE
HELENA, AL 35080

STATE OF ALABAMA)

COUNTY OF JEFFERSON)

JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

WARRANTY DEED

Know All Men by These Presents: That in consideration of ONE HUNDRED SEVENTY SEVEN THOUSAND SEVEN HUNDRED FIFTY DOLLARS and 00/100 (\$177,750.00) DOLLARS to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, WILLIAM DOC GERNER and DONNA K. GERNER, HUSBAND AND WIFE (herein referred to as GRANTORS) do grant, bargain, sell and convey unto RONALD H. MCELVEEN and MILLICENT O. MCELVEEN, 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 JEFFERSON County, Alabama, to-wit:

LOT 30, ACCORDING TO THE SURVEY OF DEARING DOWNS, 11TH ADDITION, AS RECORDED IN MAP BOOK 15, PAGE 90, 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. 35 FOOT BUILDING LINE, AS SHOWN BY RECORDED MAP.
3. EASEMENT OF UNDETERMINED WIDTH CROSSING LOT, AS SHOWN BY RECORDED MAP.
4. RIGHT OF WAY GRANTED TO ALABAMA POWER COMPANY BY INSTRUMENT RECORDED IN REAL 377, PAGE 416, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
5. RIGHT OF WAY TO COLONIAL PIPELINE COMPANY, RECORDED IN VOLUME 223, PAGE 431 AND REAL 367, PAGE 941, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
6. RESTRICTIONS OR COVENANTS RECORDED IN REAL 376, PAGE 550, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA, BUT OMITTING ANY COVENANT OR RESTRICTION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN.

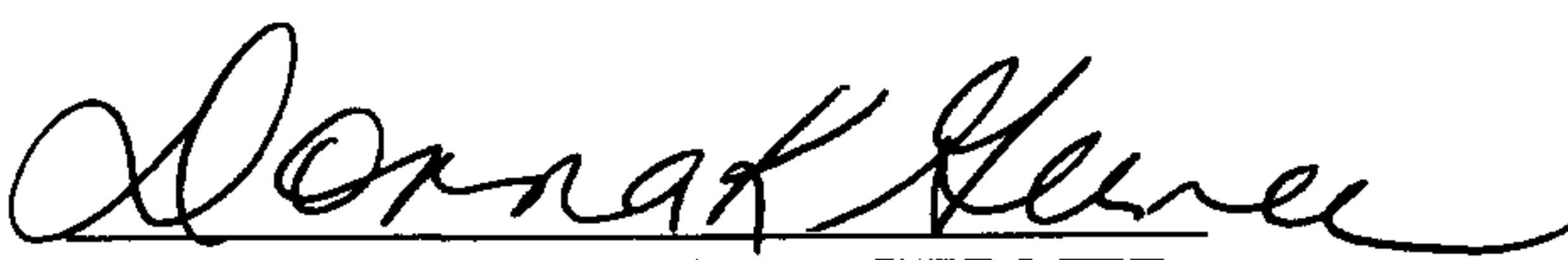
\$168,850.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

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 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, WILLIAM DOC GERNER and DONNA K. GERNER, HUSBAND AND WIFE, have hereunto set his, her or their signature(s) and seal(s), this the 1st day of August, 2003.


WILLIAM DOC GERNER

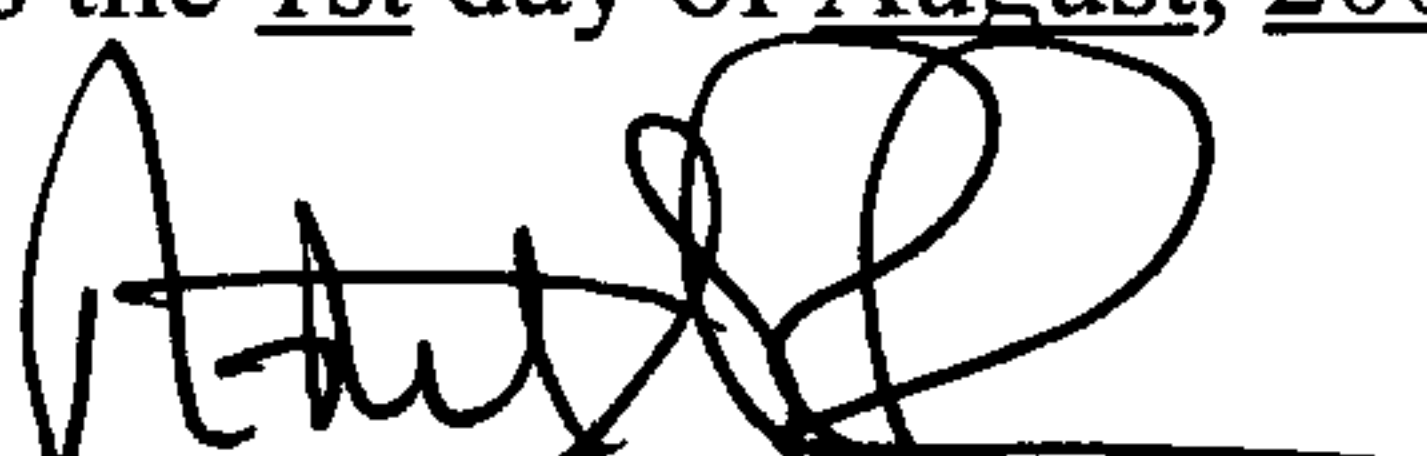

DONNA K. GERNER

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that WILLIAM DOC GERNER and DONNA K. GERNER, 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 1st day of August, 2003.


Notary Public

My commission expires: 7/1/06