

9787

(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:

CHRIS N. GIOVANNELLI
28 COTTAGE CIRCLE
PELHAM, AL 35124

STATE OF ALABAMA)

COUNTY OF SHELBY)

JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

WARRANTY DEED

Know All Men by These Presents: That in consideration of EIGHTY NINE THOUSAND FIVE HUNDRED and 00/100 (\$89,500.00) DOLLARS to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, SAM ALFANO, A MARRIED PERSON and PETER ALFANO, AN UNMARRIED PERSON and JOSEPH ANTHONY ALFANO, JR, AN UNMARRIED PERSON (herein referred to as GRANTORS) do grant, bargain, sell and convey unto CHRIS N. GIOVANNELLI(herein referred to as GRANTEES,) the following described real estate, situated in SHELBY County, Alabama, to-wit:

LOT 16, ACCORDING TO THE SURVEY OF THE COTTAGES, AS RECORDED IN MAP BOOK 12, PAGE 19, 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. A 20 FOOT BUILDING SET BACK LINE FROM COTTAGE CIRCLE, AS SHOWN BY RECORDED MAP.
3. A 10 FOOT EASEMENT FOR PRIVATE ACCESS ON REAR, AS SHOWN BY RECORDED MAP.
4. A 5 FOOT UTILITY EASEMENT ON THE FRONT, AS SHOWN BY RECORDED MAP.
5. RESTRICTIONS, AS SET FORTH IN RV 183, PAGE 270 AND RV 181, PAGE 65.
6. AGREEMENT WITH ALABAMA POWER COMPANY, AS RECORDED IN RV 184, PAGE 512, AND RV 189, PAGE 621.
7. RIGHT OF WAY TO ALABAMA POWER COMPANY AS SET FORTH IN RV 183, PAGE 224.
8. RIGHT OF WAY TO ALABAMA POWER COMPANY, AS SET FORTH IN RV 142, PAGE 195.

9. 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 VOLUME 79, PAGE 297.

SUBJECT PROPERTY DOES NOT CONSTITUTE THE HOMESTEAD OF SAM ALFANO NOR HIS RESPECTIVE SPOUSE.

TO HAVE AND TO HOLD Unto the said GRANTEES.

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, SAM ALFANO, A MARRIED PERSON and PETER ALFANO, AN UNMARRIED PERSON and JOSEPH ANTHONY ALFANO, JR. AN UNMARRIED PERSON have hereunto set his, her or their signature(s) and seal(s), this the 21st day of August, 2003.

Sam Alfano, Acting by and through his attorney
X in fact, Peter Alfano
SAM ALFANO, ACTING BY AND
THROUGH HIS ATTORNEY IN
FACT, PETER ALFANO

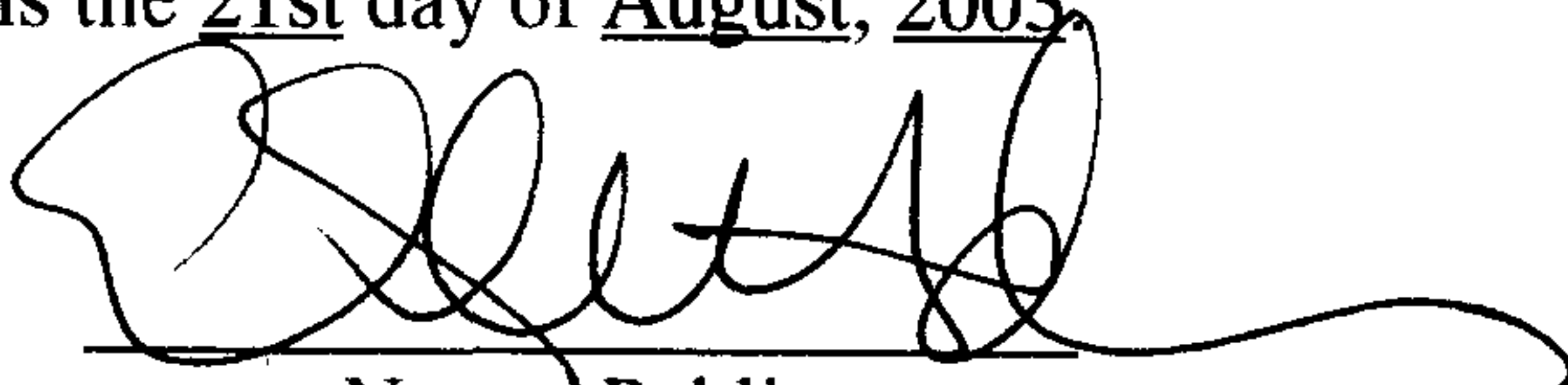
X Peter Alfano
PETER ALFANO
Joseph Anthony Alfano Jr., acting by and through
X his attorney in fact, Peter Alfano
JOSEPH ANTHONY ALFANO, JR.,
ACTING BY AND THROUGH HIS
ATTORNEY IN FACT, PETER ALFANO

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that PETER ALFANO, 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 21st day of August, 2003.


Notary Public

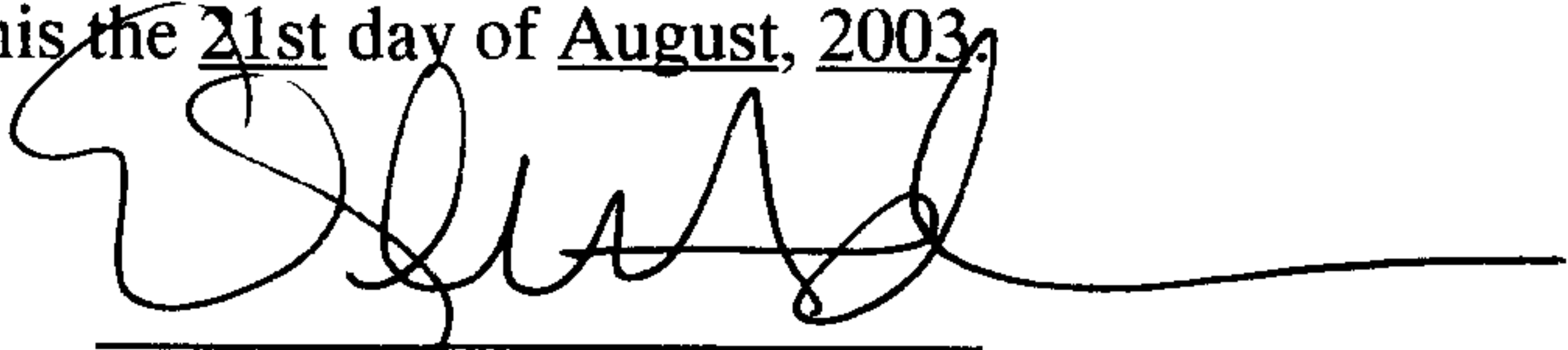
My commission expires: 10.2.05

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGMENT

I, the undersigned, a Notary Public in and for said State of Alabama at Large, hereby certify that PETER ALFANO, whose name as Attorney in Fact for SAM ALFANO, is signed to the foregoing instrument and who is known to me, acknowledged before me on this date that, being informed of the instrument, he, in his capacity as such Attorney in Fact, and with full authority executed the same voluntarily on the date the same bears date.

Given under my hand this the 21st day of August, 2003.



Notary Public

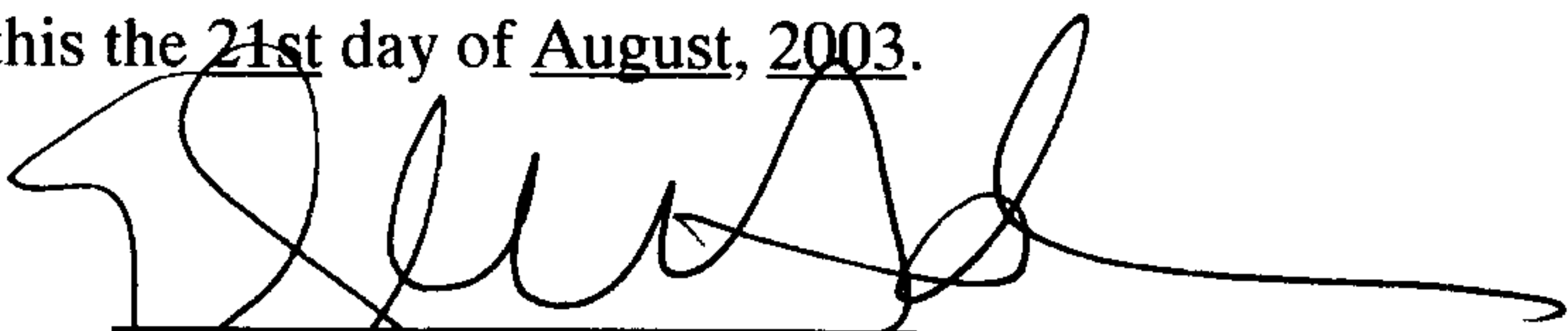
My commission expires: 10.2.05

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGMENT

I, the undersigned, a Notary Public in and for said State of Alabama at Large, hereby certify that PETER ALFANO, whose name as Attorney in Fact for JOSEPH ANTHONY ALFANO, JR., is signed to the foregoing instrument and who is known to me, acknowledged before me on this date that, being informed of the instrument, he, in his capacity as such Attorney in Fact, and with full authority executed the same voluntarily on the date the same bears date.

Given under my hand this the 21st day of August, 2003.



Notary Public

My commission expires: 10.2.05

EXHIBIT "A"

**LOT 16, ACCORDING TO THE SURVEY OF THE COTTAGES, AS RECORDED IN MAP
BOOK 12, PAGE 19, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.**