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(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was  
prepared by:

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PADEN & PADEN  
Attorneys at Law  
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Birmingham, Alabama 35244

SEND TAX NOTICE TO:

TROY ELM  
331 WATEFORD COVE TRAIL  
CALERA, AL 35040

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 NINETY EIGHT THOUSAND EIGHTY and 00/100 (\$198,080.00) DOLLARS to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, CHARLIE F. CHANCELLOR, A MARRIED PERSON DBA C&W CONSTRUCTION (herein referred to as GRANTORS) do grant, bargain, sell and convey unto TROY ELM and STACIE SUSAN ELM, 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 738, ACCORDING TO THE SURVEY OF WATERFORD COVE, SECTOR 1, AS RECORDED IN MAP BOOK 28, PAGE 68, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

**SUBJECT TO:**

1. TAXES FOR THE YEAR BEGINNING OCTOBER 1, 2003 WHICH CONSTITUTES A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 2004.
2. 10 FOOT EASEMENT ON REAR; 8 FOOT EASEMENT ON FRONT AND 7.5 FOOT EASEMENT ON WEST, AS SHOWN BY RECORDED MAP.
3. RESTRICTIONS AS SHOWN BY RECORDED MAP. (PUD)
4. RESTRICTIONS APPEARING OF RECORD IN INSTRUMENT #2001-12818, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
5. RESTRICTIONS WITH EASEMENT TO ALABAMA POWER COMPANY RECORDED IN INSTRUMENT #2002-18705, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

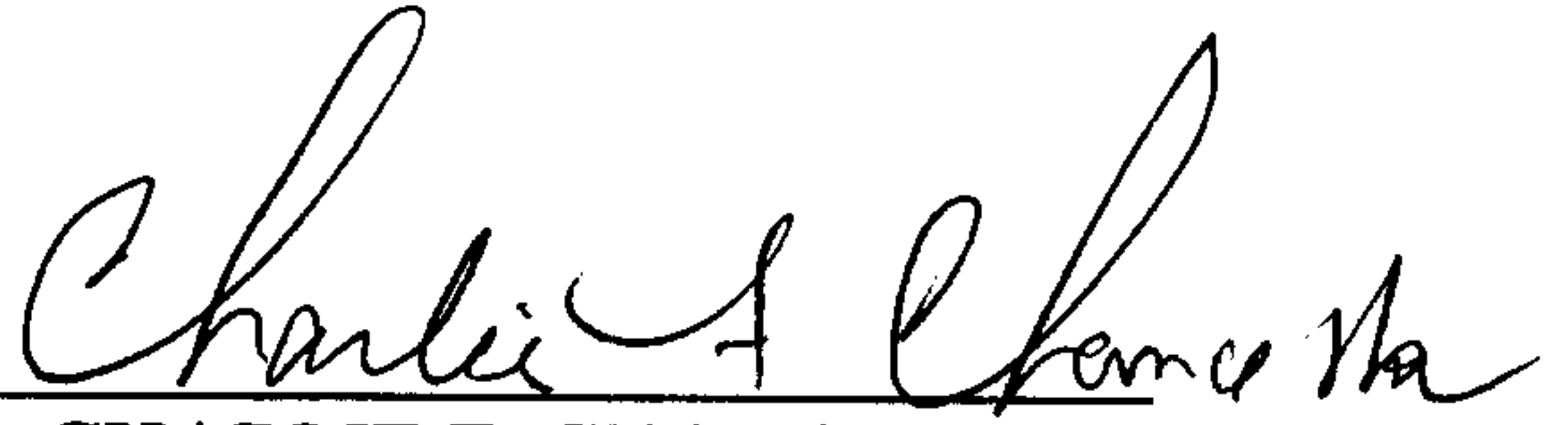
\$198,080.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

**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, CHARLIE F. CHANCELLOR DBA C&W CONSTRUCTION, have hereunto set his, her or their signature(s) and seal(s), this the 3rd day of October, 2003.

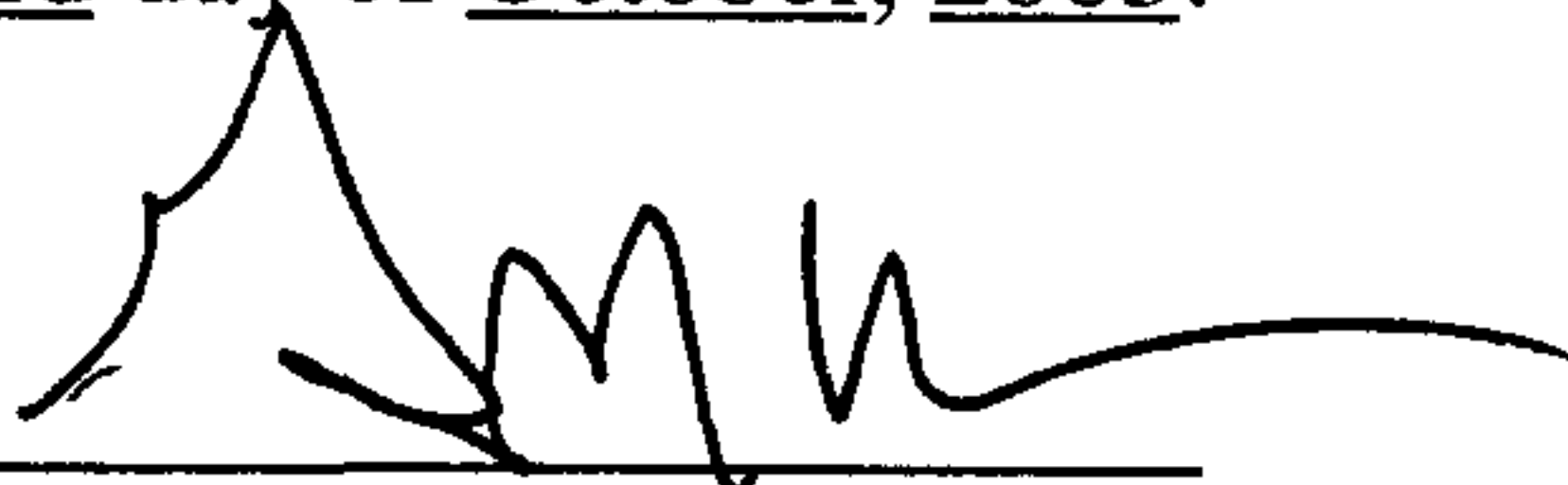
  
CHARLIE F. CHANCELLOR  
DBA C&W CONSTRUCTION

STATE OF ALABAMA)  
COUNTY OF SHELBY)

#### ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that CHARLIE F. CHANCELLOR DBA C&W CONSTRUCTION, 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 3rd day of October, 2003.

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

My commission expires: 9.29.06