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20031021000702250 Pg 1/2 37.00
Shelby Cnty Judge of Probate, AL
10/21/2003 08:17:00 FILED/CERTIFIED

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was prepared by:

SEND TAX NOTICE TO:

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

SCOTT W. FERGUSON
2004 CROSSVINE ROAD
BIRMINGHAM, AL 35244

STATE OF ALABAMA)

COUNTY OF JEFFERSON)

JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

WARRANTY DEED

Know All Men by These Presents: That in consideration of TWO HUNDRED THIRTY THOUSAND DOLLARS and 00/100 (\$230,000.00) to the undersigned grantor, THE DAVID GROUP, INC. in hand paid by the GRANTEES herein, the receipt of which is hereby acknowledged, the said GRANTOR, does by these presents, grant, bargain, sell and convey unto SCOTT W. FERGUSON AND TINA P. FERGUSON, 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 38, ACCORDING TO THE SURVEY OF RIVERCHASE WEST, SECOND ADDITION, AS RECORDED IN MAP BOOK 7, PAGE 59, 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. AGREEMENT WITH ALABAMA POWER COMPANY FOR UNDERGROUND RESIDENTIAL DISTRIBUTION AS RECORDED IN MISC. VOLUME 25, PAGE 606.
3. TERMS, AGREEMENTS AND RIGHT OF WAY TO ALABAMA POWER COMPANY AS RECORDED IN MISC. VOLUME 25, PAGE 613.
4. CERTIFICATION OF COMPLIANCE AS RECORDED IN MISC. VOLUME 34, PAGE 549.
5. TITLE TO ALL MINERALS WITHIN AND UNDERLYING THE PREMISE, TOGETHER WITH ALL MINING RIGHTS AND OTHER RIGHTS, PRIVILEGES AND IMMUNITIES AND RELEASE OF DAMAGES RELATING THERETO AS RECORDED IN DEED BOOK 127, PAGE 140.
6. RESTRICTIONS APPEARING OF RECORD IN MISC. VOLUME 14, PAGE 536 AND MISC. VOLUME 17, PAGE 550.
7. 10 FOOT UTILITY EASEMENT ALONG REAR LOT LINE AND ALONG NORTHEASTERLY LOT LINE AS SHOWN ON RECORDED PLAT.

\$207,000.00 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 said GRANTOR does for itself, its successors and assigns, covenant with the said GRANTEES, his, her, or their heirs and assigns, that it is lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that it has a good right to sell and convey the same as aforesaid, and that it will and its successors and assigns 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 GRANTOR, THE DAVID GROUP, INC., by its PRESIDENT, ISSAC DAVID who is authorized to execute this conveyance, has hereunto set its signature and seal, this the 10th day of October, 2003.

THE DAVID GROUP, INC.

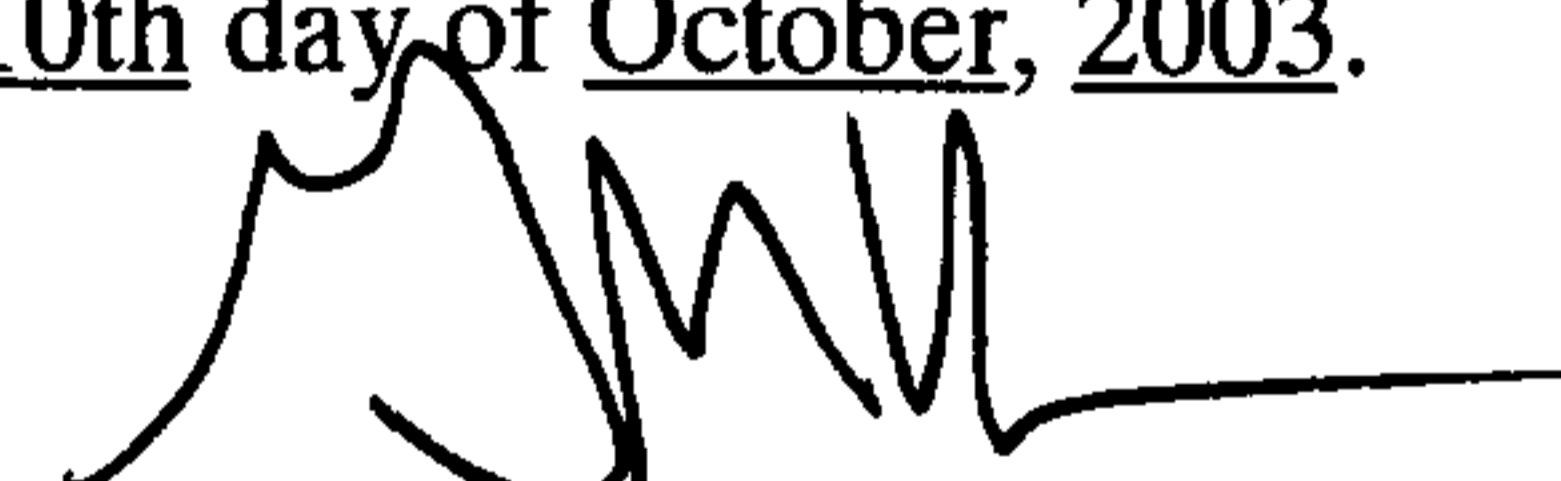
By: 
ISSAC DAVID, PRESIDENT

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that ISSAC DAVID, whose name as PRESIDENT of THE DAVID GROUP, INC., a corporation, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he or she, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand this the 10th day of October, 2003.


Notary Public

My commission expires: 9.29.06