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(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

ELLORY T. KELLY
404 WATERFORD HIGHLANDS WAY
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 THIRTY ONE THOUSAND NINE HUNDRED DOLLARS and 00/100 (\$131,900.00) to the undersigned grantor, HOLSOMBECK BUILDERS, 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 ELLORY T. KELLY and CAROLYN R. KELLY, 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 452 ACCORDING TO THE SURVEY OF WATERFORD HIGHLAND SECTOR 2 PHASE 2 AS RECORDED IN MAP BOOK 30, PAGE 111, 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. ORDINANCE WITH THE CITY OF CALERA AS RECORDED IN INSTRUMENT 2000-0006.
3. RIGHT OF WAY TO SHELBY COUNTY, RECORDED IN DEED BOOK 240, PAGE 36, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
4. MINERAL AND MINING RIGHTS AND RIGHTS INCIDENT THERETO RECORDED IN REAL 345, PAGE 744 AND INSTRUMENT 1995-1640, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
5. TERMS AND CONDITIONS AS CONTAINED IN THAT CERTAIN DEED RECORDED IN INSTRUMENT 1995-1640, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
6. RESTRICTIONS OR COVENANTS RECORDED IN INSTRUMENT 2001-12817 AND AND 2001-12819 AND 2000-40215 AND 1999-49065 AND INSTRUMENT 2002-592570, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
7. GRANT TO STATE OF ALABAMA FOR RAILROAD RECORDED IN REAL 278, PAGE 5, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
8. RELEASE OF DAMAGES AS RECORDED IN INSTRUMENT 1996-1640 AND REAL 345, PAGE 744, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

9. 8 FOOT EASEMENT ON FRONT, AS SHOWN BY RECORDED MAP.

\$51,000.00 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, HOLSOMBECK BUILDERS, INC., by its PRESIDENT, STAN HOLSOMBECK who is authorized to execute this conveyance, has hereunto set its signature and seal, this the 30th day of October, 2003.

HOLSOMBECK BUILDERS, INC.

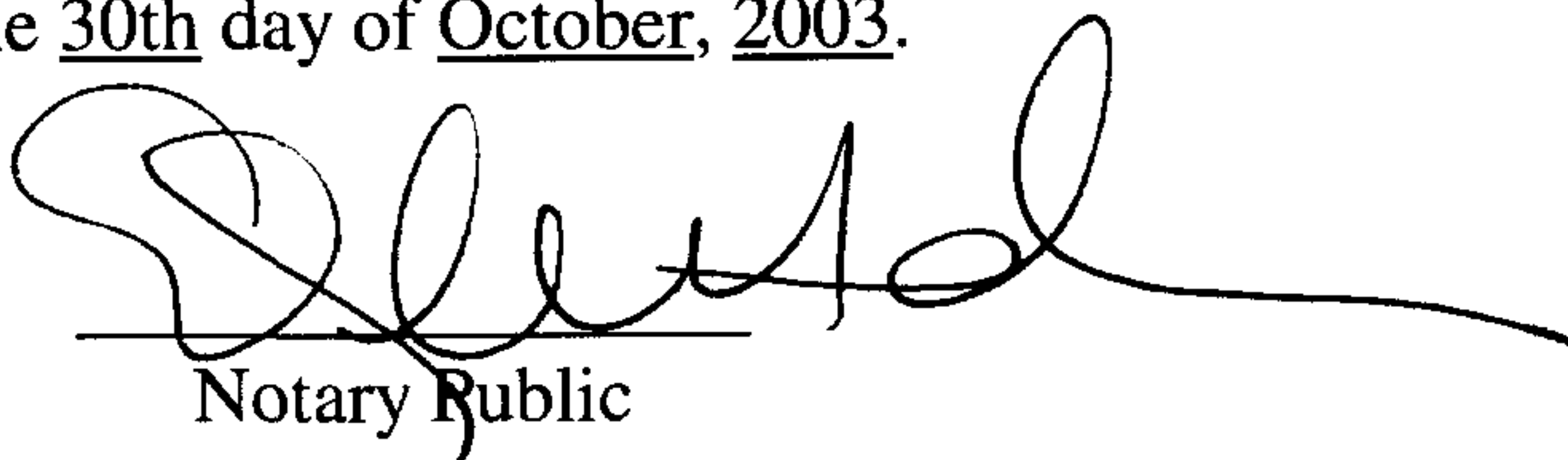
By: 
STAN HOLSOMBECK, PRESIDENT

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that STAN HOLSOMBECK, whose name as PRESIDENT of HOLSOMBECK BUILDERS, 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 30th day of October, 2003.


Notary Public

My commission expires: 10.2.05