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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

ROBERT E. TINGLE, JR.
2116 NORTH GRANDE VIEW LANE
ALABASTER, AL 35007

STATE OF ALABAMA)
COUNTY OF SHELBY)

**JOINT TENANTS WITH RIGHT OF SURVIVORSHIP
WARRANTY DEED**

Know All Men by These Presents: That in consideration of TWO HUNDRED FIFTY TWO THOUSAND FIVE HUNDRED DOLLARS and 00/100 (\$252,500.00) to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, KEVIN SMITH and ELIZABETH SMITH, HUSBAND AND WIFE (herein referred to as GRANTORS) do grant, bargain, sell and convey unto ROBERT E. TINGLE, JR. and MELANIE N. TINGLE, 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 974 ACCORDING TO THE SURVEY OF GRANDE VIEW ESTATES GIVIANPOUR ADDITION TO ALABASTER 9TH ADDITION PHASE 1, AS RECORDED IN MAP BOOK 26, PAGE 86 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

SUBJECT TO:

1. TAXES FOR THE YEAR 2003 WHICH CONSTITUTE A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 2004.
2. 30 FOOT BUILDING SETBACK LINE ALONG NORTH GRANDE VIEW LANE AND A 10 FOOT EASEMENT ACROSS REAR OF SAID LOT AS SHOWN ON RECORDED MAP OF SAID SUBDIVISION.
3. RESTRICTIONS IN FAVOR OF ALABAMA POWER COMPANY AS RECORDED IN INSTRUMENT 2000-11833.
4. TERMS PROVISIONS COVENANTS CONDITIONS RESTRICTIONS EASEMENTS CHARGES ASSESSMENTS AND LIENS PROVIDED IN THE COVENANTS CONDITIONS AND RESTRICTIONS RECORDED IN INSTRUMENT 1995-05892; INSTRUMENT 1995-28543; INSTRUMENT 1995-28544; INSTRUMENT 1996-339; INSTRUMENT 1996-26258; INSTRUMENT 1996-29192; INSTRUMENT 1996-37928; INSTRUMENT 1996-37929 AND INSTRUMENT 2000-4501 AND MAP BOOK 26, PAGE 86.
5. TRANSMISSION LINE PERMIT TO ALABAMA POWER COMPANY AS RECORDED IN DEED BOOK 138, PAGE 170.
6. ARTICLES OF INCORPORATION OF GRANDE VIEW ESTATE HOMEOWNERS ASSOCIATION INC. AS RECORDED IN INSTRUMENT 1995-05890 AND BY LAWS AS RECORDED IN INSTRUMENT 1995-05891.
7. RESERVATION OF MINERAL AND MINING RIGHTS IN THE INSTRUMENT

RECORDED IN DEED BOOK 13, PAGE 385; DEED BOOK 375, PAGE 546 AND INSTRUMENT 1994-26505; TOGETHER WITH THE APPURTENANT RIGHTS TO USE THE SURFACE.

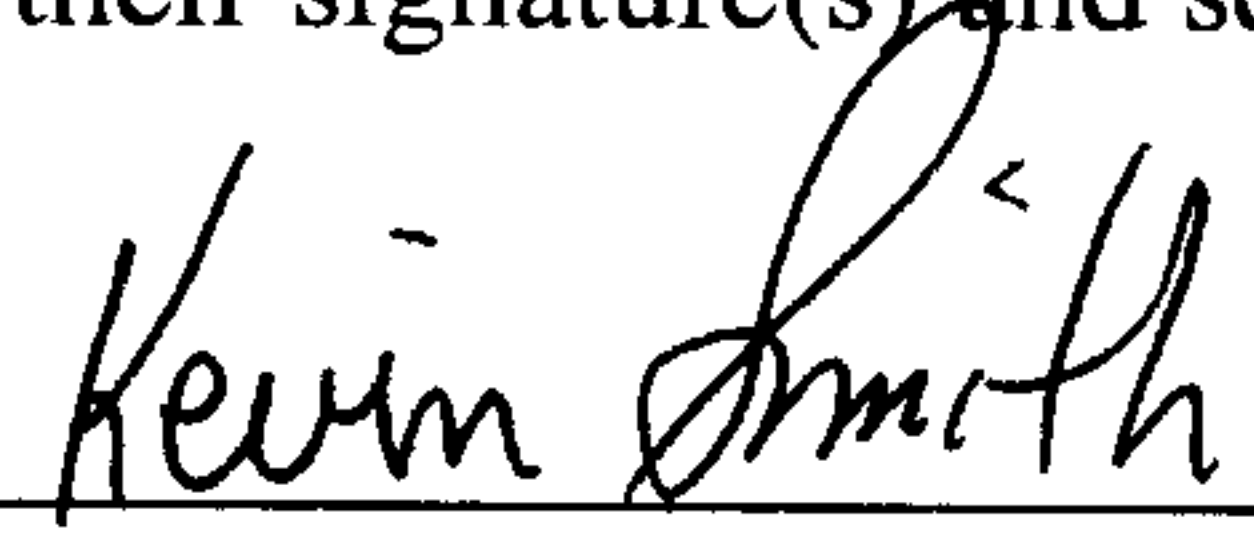
8. RESTRICTION LIMITATIONS AND CONDITIONS AS RECORDED IN MAP BOOK 21, PAGE 134; MAP BOOK 23, PAGE 86 AND MAP BOOK 26, PAGE 66.
9. RELEASE OF DAMAGES RESTRICTIONS MODIFICATIONS COVENANTS CONDITIONS RIGHTS PRIVILEGES IMMUNITIES AND LIMITATIONS AS APPLICABLE AS SET OUT IN AND AS REFERENCED IN DEED RECORDED IN INSTRUMENT 1998-8154; INSTRUMENT 2000-1759 AND INSTRUMENT 2000-19654.
10. EASEMENT TO ALABAMA POWER COMPANY AS RECORDED IN INSTRUMENT 1994-26505.
11. COTENANT RELEASING PREDECESSOR IN TITLE FROM ANY LIABILITY ARISING FROM SINKHOLES LIMESTONE FORMATIONS SOIL CONDITION OR ANY OTHER KNOWN OR UNKNOWN OR SUBSURFACE CONDITIONS THAT MAY NOW OR HEREAFTER EXIST OR OCCUR OR CAUSE DAMAGE TO SUBJECT PROPERTY AS SHOWN IN INSTRUMENT 2000-1759 AND INSTRUMENT 2000-19654.

\$160,000.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

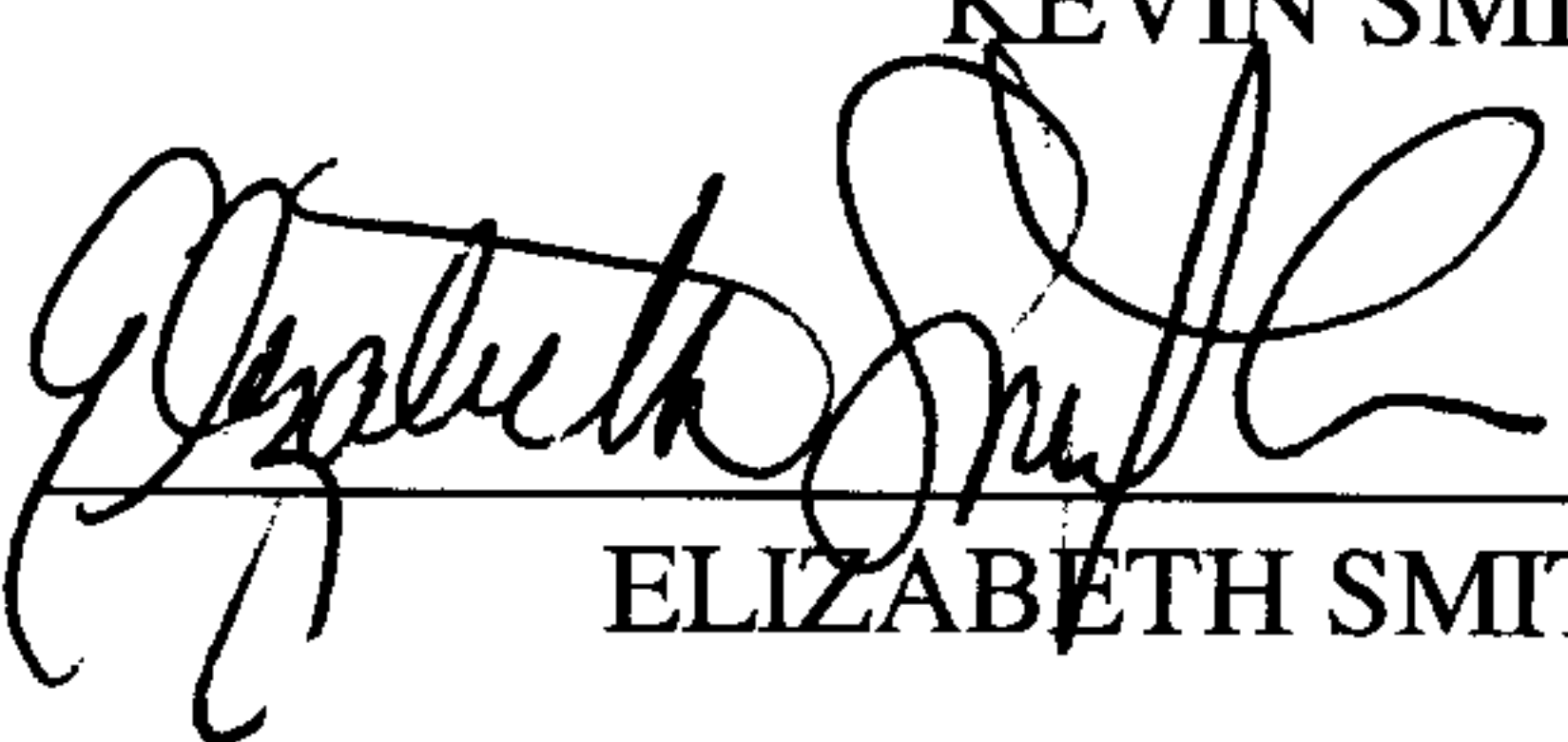
TO HAVE AND TO HOLD Unto the said GRANTEES as joint tenants, with right of survivorship, their heirs and assigns, forever; it being the intention of the parties to this conveyance, that (unless the joint tenancy hereby created is severed or terminated during the joint lives of the grantees herein) in 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 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, KEVIN SMITH and ELIZABETH SMITH, HUSBAND AND WIFE, have hereunto set his, her or their signature(s) and seal(s), this the 31st day of October, 2003.



KEVIN SMITH



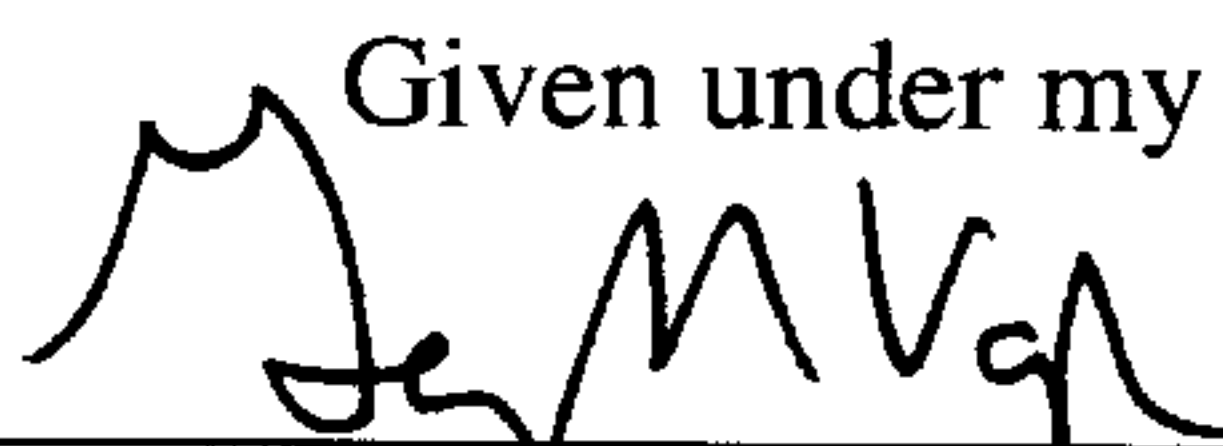
ELIZABETH SMITH

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGMENT

20031113000749160 Pg 2/2 106.50
Shelby Cnty Judge of Probate, AL
11/13/2003 08:10:00 FILED/CERTIFIED

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that KEVIN SMITH and ELIZABETH SMITH, 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.



Notary Public

My commission expires: 9.29.06