

10/16/01
CD.



(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was prepared by:

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Attorneys at Law
5 Riverchase Ridge, Suite 100
Birmingham, Alabama 35244

SEND TAX NOTICE TO:

JOHN L. HURD
116 CEDAR COVE DRIVE
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 ONE HUNDRED FIFTY NINE THOUSAND DOLLARS and 00/100 (\$159,000.00) DOLLARS to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, E. DEWAYNE SPIVEY and CATHERINE B. SPIVEY, HUSBAND AND WIFE (herein referred to as GRANTORS) do grant, bargain, sell and convey unto JOHN L. HURD and MINDY S. HURD, 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 9, BLOCK 1, ACCORDING TO THE SURVEY OF CEDAR COVE, PHASE II, AS RECORDED IN MAP BOOK 9, 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. 10 FOOT PUBLIC UTILITIES, SANITARY SEWERS, STORM SEWERS, STORM DITCHES AS PER PLAT.
3. BUILDING AND SETBACK LINES OF 35 FEET AS RECORDED IN MAP BOOK 9, PAGE 111, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
4. TITLE TO ALL OIL, GAS AND MINERALS WITHIN AND UNDERLYING THE PREMISES, TOGETHER WITH ALL OIL AND MINING RIGHTS AND OTHER RIGHTS, PRIVILEGES AND IMMUNITIES RELATING THERETO, TOGETHER WITH ANY RELEASE OF LIABILITY FOR INJURY OR DAMAGE TO PERSONS OR PROPERTY AS A RESULT OF THE EXERCISE OF SUCH RIGHTS AS RECORDED IN DEED BOOK 357, PAGE 199, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
5. EASEMENT TO ALABAMA POWER COMPANY AND SOUTH CENTRAL BELL RECORDED IN REAL 50, PAGE 254.
6. RESTRICTIVE COVENANTS AS RECORDED IN REAL BOOK 46, PAGE 313.


7. RIGHTS OF WAY TO SHELBY COUNTY AS RECORDED IN DEED BOOK 253, PAGE 536 AND DEED BOOK 253, PAGE 540.

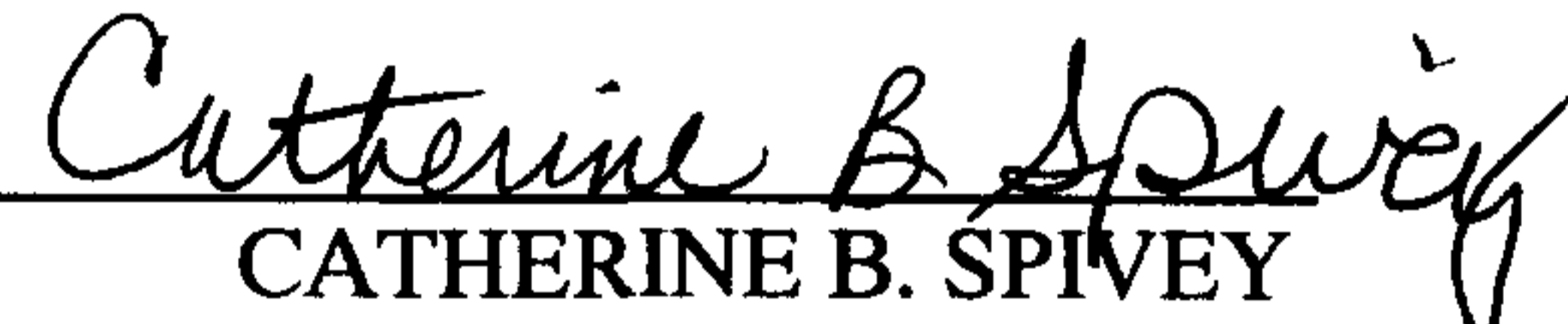
\$127,200.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

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, E. DEWAYNE SPIVEY and CATHERINE B. SPIVEY, HUSBAND AND WIFE, have hereunto set his, her or their signature(s) and seal(s), this the 20th day of November, 2003.


E. DEWAYNE SPIVEY

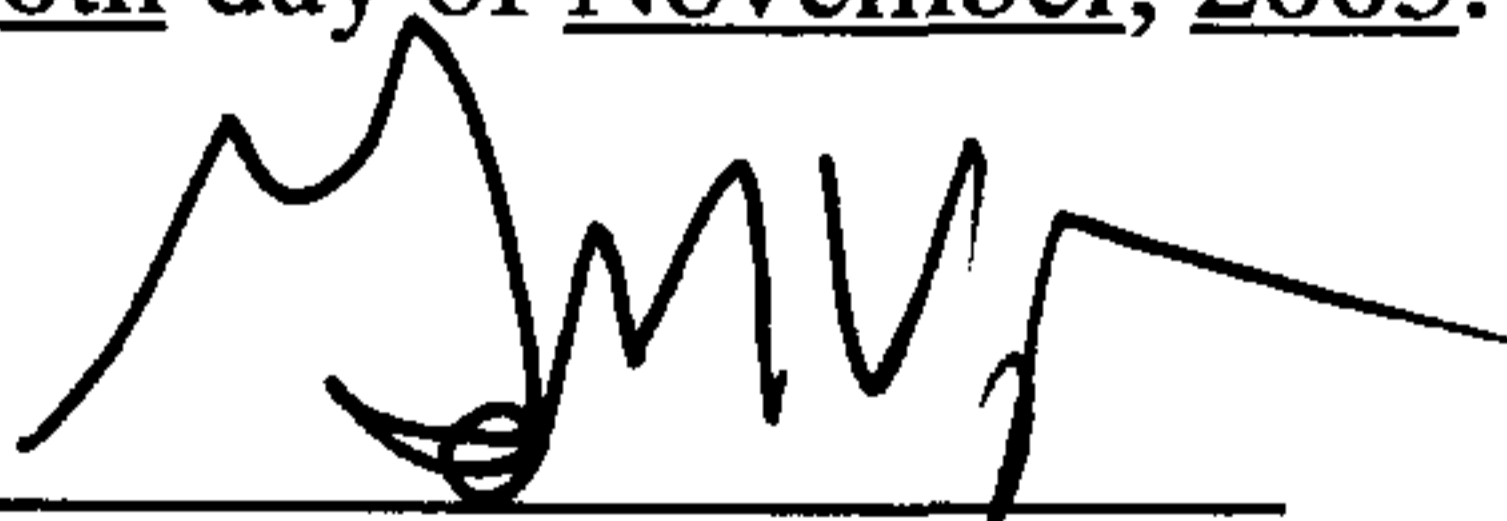

CATHERINE B. SPIVEY

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that E. DEWAYNE SPIVEY and CATHERINE B. SPIVEY, 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.

Given under my hand this the 20th day of November, 2003.



Notary Public

My commission expires: 9.29.06