

10123

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was  
prepared by:

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

SEND TAX NOTICE TO:

JENNIFER KAY MITCHELL  
105 COVE LANDING  
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 NINETY THREE THOUSAND TWO HUNDRED DOLLARS and 00/100 (\$93,200.00) to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, LESLIE M DAILEY and SEAN A. DAILEY, WIFE AND HUSBAND (herein referred to as GRANTORS) do grant, bargain, sell and convey unto JENNIFER KAY MITCHELL, AN UNMARRIED PERSON and BARBARA JARVIS MITCHELL, A MARRIED PERSON, (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 40, ACCORDING TO THE SURVEY OF WILLOW COVE PHASE 2, AS RECORDED IN MAP BOOK 24, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

SUBJECT TO:


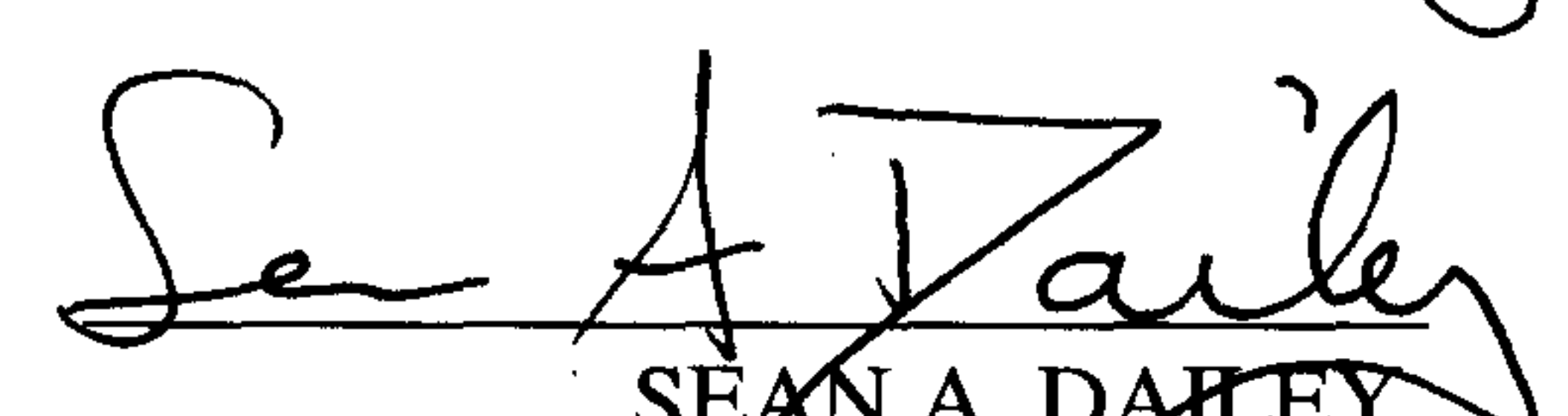
1. TAXES FOR THE YEAR 2003 WHICH CONSTITUTE A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 2004.
2. 10 FOOT BUILDING LINE AS SHOWN ON RECORDED MAP.
3. 15 FOOT EASEMENT ON EAST SIDE OF LOT AS SHOWN ON RECORDED MAP.
4. 7 ½ FOOT EASEMENT ON SOUTH SIDE OF LOT AS SHOWN ON RECORDED MAP.
5. RIGHT OF WAY GRANTED TO SOUTH CENTRAL BELL TELEPHONE COMPANY RECORDED IN SHELBY REAL 42, PAGE 971, SHELBY REAL 50, PAGE 799 AND SHELBY REAL 52, PAGE 996.
6. RIGHT OF WAY TO ALABAMA POWER COMPANY RECORDED IN SHELBY REAL 94, PAGE 77; SHELBY VOLUME 129, PAGE 359, SHELBY VOLUME 129, PAGE 448 AND SHELBY VOLUME 130, PAGE 79.
7. TITLE TO ALL MINERALS WITHIN AND UNDERLYING THE PREMISES TOGETHER WITH ALL MINING RIGHTS AND OTHER RIGHTS PRIVILEGES AND IMMUNITIES RELATING THERETO.

\$91,756.00 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, LESLIE M DAILEY and SEAN A. DAILEY, WIFE AND HUSBAND, have hereunto set his, her or their signature(s) and seal(s), this the 24th day of November, 2003.

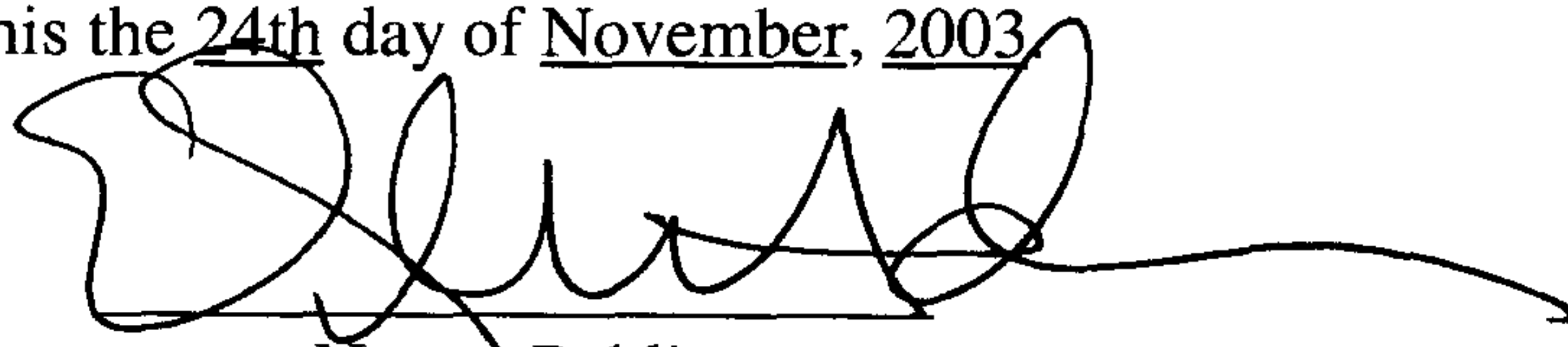
  
LESLIE M DAILEY  
  
SEAN A. DAILEY

STATE OF ALABAMA)  
COUNTY OF SHELBY)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that LESLIE M DAILEY and SEAN A. DAILEY, WIFE AND HUSBAND, 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 24th day of November, 2003.

  
Notary Public

My commission expires: 10.2.05