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Shelby Cnty Judge of Probate, AL
12/04/2003 09:05:00 FILED/CERTIFIED

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was
prepared by:

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

SEND TAX NOTICE TO:

JAMES D. BELL
1308 APPELEGATE DRIVE
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 SEVENTY SIX THOUSAND EIGHT HUNDRED DOLLARS and 00/100 (\$76,800.00) to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, KENNETH W. BETTINI, JR. and SHIRLEY W. BETTINI, HUSBAND AND WIFE (herein referred to as GRANTORS) do grant, bargain, sell and convey unto JAMES D. BELL AND ASHLEY M. BELL, (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 31, ACCORDING TO A RESURVEY OF LOTS 1 THROUGH 64, 89 THROUGH 104 AND A THROUGH C OF APPELEGATE MANOR, AS RECORDED IN MAP BOOK 10, PAGE 25, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA; BEING SITUATED IN SHELBY COUNTY, ALABAMA; TOGETHER WITH ALL OF THE RIGHTS, PRIVILEGES, EASEMENTS AND APPURTENANT OWNERSHIP INTEREST IN AND TO PREMISES PREVIOUSLY CONVEYED BY APPELEGATE REALTY, IN. TO THE APPELEGATE TOWNHOUSE ASSOCIATION, INC. BY DEED RECORDED IN PROBATE OFFICE OF SHELBY COUNTY, ALABAMA IN REAL 65, PAGE 201, AND AS MORE FULLY DEFINED IN THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTION OF APPELEGATE TOWNHOUSE RECORDED IN PROBATE OFFICE OF SHELBY COUNTY, ALABAMA, IN REAL 63, PAGE 634.

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. 30 FOOT BUILDING LINE, AS SHOWN BY RECORDED MAP.
3. 15 FOOT EASEMENT ON REAR, AS SHOWN BY RECORDED MAP.
4. RIGHT OF WAY GRANTED TO ALABAMA POWER COMPANY BY INSTRUMENT RECORDED IN REAL 59, PAGE 376, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
5. AGREEMENT WITH ALABAMA POWER COMPANY RECORDED IN REAL 60, PAGE 745, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

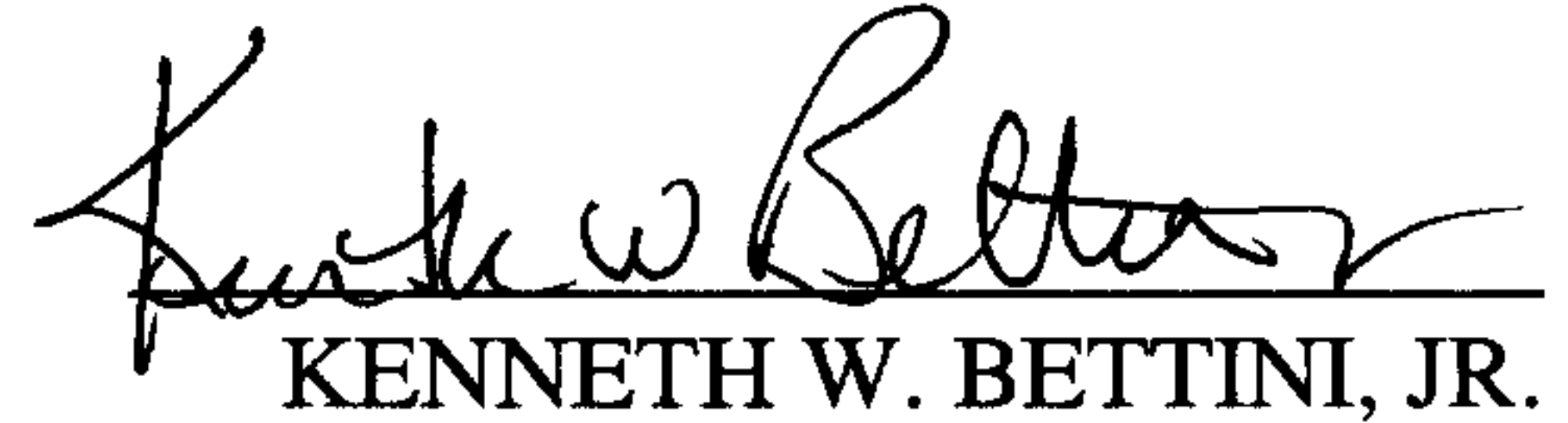
6. RESTRICTIONS APPEARING OF RECORD IN REAL 63, PAGE 634, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
7. RIGHT OF WAY TO SOUTHERN BELL TELEPHONE AND TELEGRAPH COMPANY, RECORDED IN VOLUME 337, PAGE 235, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

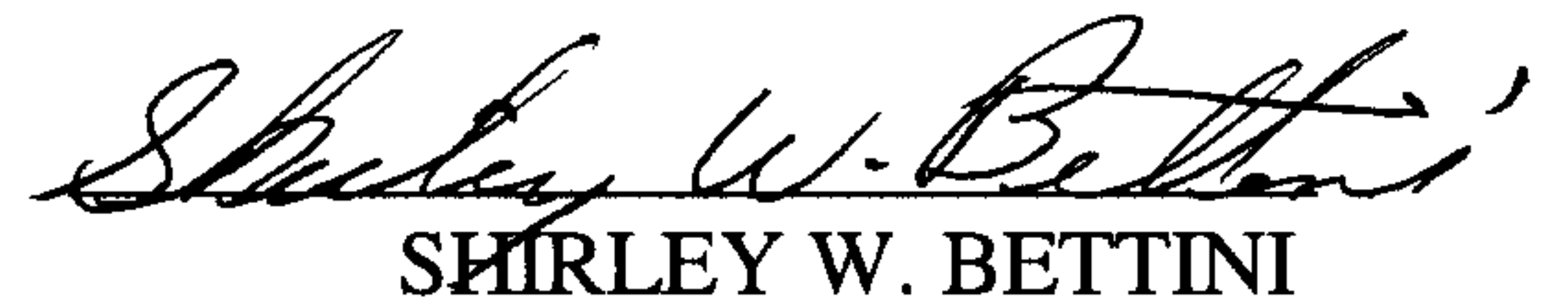
\$75,613.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

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, KENNETH W. BETTINI, JR. and SHIRLEY W. BETTINI, have hereunto set his, her or their signature(s) and seal(s), this the 26th day of November, 2003.


KENNETH W. BETTINI, JR.

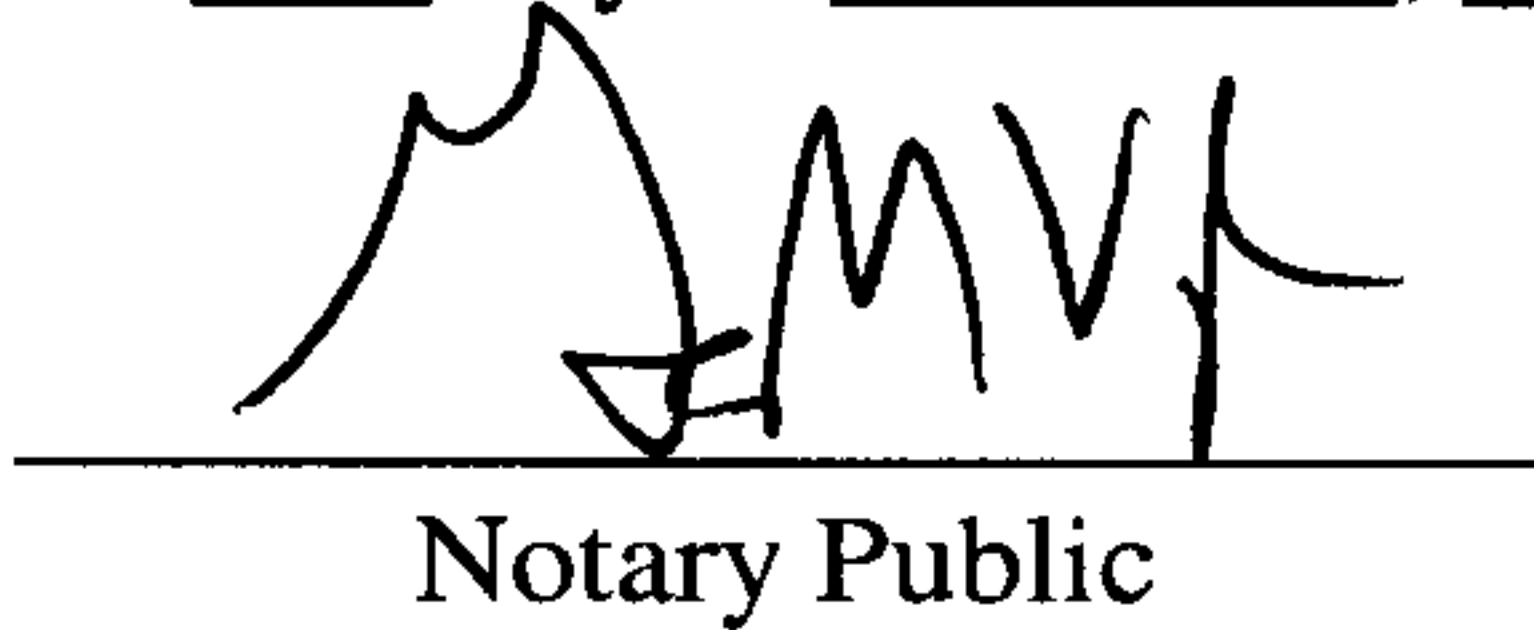

SHIRLEY W. BETTINI

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that KENNETH W. BETTINI, JR. and SHIRLEY W. BETTINI, 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 26th day of November, 2003.


Notary Public

My commission expires: 9.29.06