

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was
prepared by:

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SEND TAX NOTICE TO:

MARK A. DAVENPORT
2171 NORTH GRANDE VIEW LANE
MAYLENE, AL 35114

STATE OF ALABAMA)

COUNTY OF SHELBY)

JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

WARRANTY DEED

Know All Men by These Presents: That in consideration of THREE HUNDRED TWO THOUSAND FIVE HUNDRED and 00/100 (\$302,500.00) DOLLARS to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, JANINE L. ELLIS and REUBEN KRISTIAN ELLIS, HUSBAND AND WIFE (herein referred to as GRANTORS) do grant, bargain, sell and convey unto MARK A. DAVENPORT and TRACY A. DAVENPORT, 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 936, ACCORDING TO THE SURVEY OF GRANDE VIEW ESTATES, GIVIANPOUR ADDITION TO ALABASTER, 9TH ADDITION, PHASE II, AS RECORDED IN MAP BOOK 27, PAGE 85, 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. BUILDING SETBACK LINES OF 30 FEET FROM THE NORTH GRANDE VIEW LANE, AS SHOWN BY RECORDED MAP.
3. A 10 FOOT EASEMENT ALONG THE SOUTHWEST SIDE, AS SHOWN BY RECORDED MAP.
4. COVENANTS, CONDITIONS, RESTRICTIONS, AS SETFORTH IN INSTRUMENT #2000-4501; INSTRUMENT #1995-5892; INSTRUMENT #1995-28543; INSTRUMENT#1995-28544; INSTRUMENT #1996-339; INSTRUMENT #1996-29192; INSTRUMENT #2001-1048 AND MAP BOOK 27 PAGE 85.
5. TRANSMISSION LINE PERMITS TO ALABAMA POWER COMPANY AS RECORDED IN DEED BOOK 138, PAGE 170.
6. TITLE TO ALL MINERALS WITHIN AND UNDERLYING THE PREMISES TOGETHER WITH ALL MINING RIGHTS, PRIVILEGES AND IMMUNITIES RELATING THERETO AS RECORDED IN DEED BOOK 13, PAGE 385; DEED BOOK 325, PAGE 546, INSTRUMENT #2000-14987.

7. ARTICLES OF INCORPORATION AS RECORDED IN INSTRUMENT #1995-5890 AND BY-LAWS AS RECORDED IN INSTRUMENT #1995-5891.
8. EASEMENT AND RESTRICTIVE COVENANTS WITH ALABAMA POWER COMPANY, AS RECORDED IN INSTRUMENT #2000-11833.
9. RELEASE OF DAMAGES AS SET FORTH IN INSTRUMENT #2000-40467.

\$202,500.00 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, JANINE L. ELLIS and REUBEN KRISTIAN ELLIS, HUSBAND AND WIFE, have hereunto set his, her or their signature(s) and seal(s), this the 30th day of December, 2003.


JANINE L. ELLIS

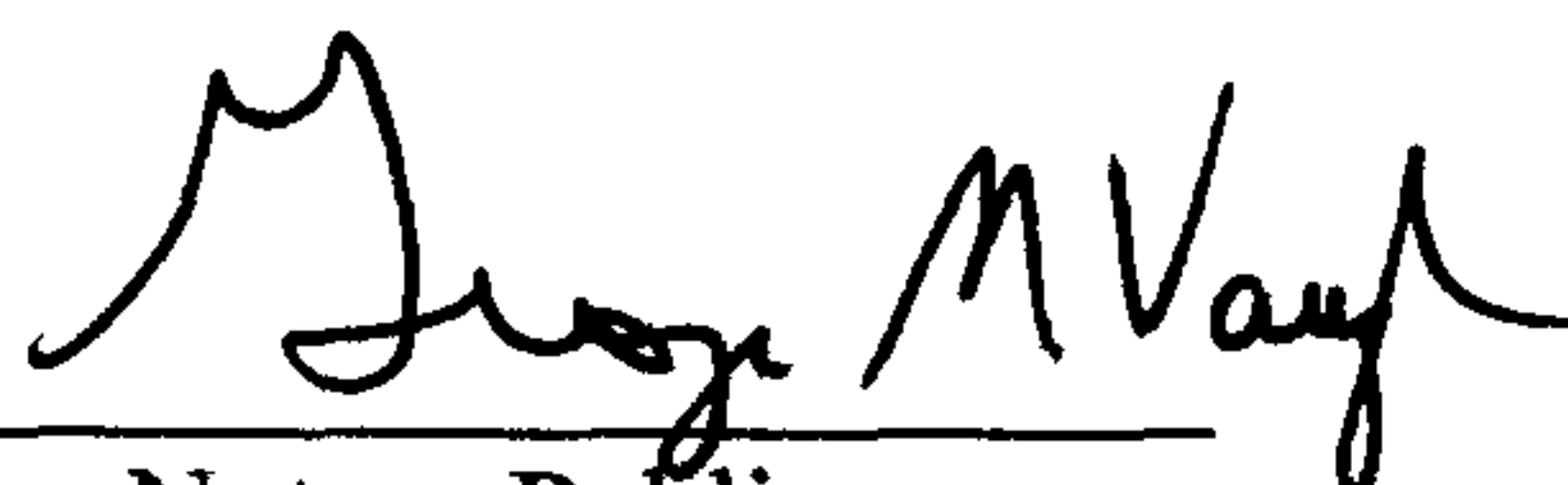

REUBEN KRISTIAN ELLIS

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that JANINE L. ELLIS and REUBEN KRISTIAN ELLIS, 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 30th day of December, 2003.


Notary Public

My commission expires: 9.29.06