

STATE OF ALABAMA)
SHELBY COUNTY)

20040123000038520 Pg 1/2 289.00
Shelby Cnty Judge of Probate, AL
01/23/2004 08:30:00 FILED/CERTIFIED

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That for and in consideration of FIVE HUNDRED EIGHTY FIVE THOUSAND AND NO/100 DOLLARS (\$585000.00) to the undersigned GRANTORS in hand paid by the GRANTEES herein, the receipt whereof is acknowledged, ROBERT W. HOWELL and spouse, DONNA L. HOWELL (GRANTORS) do grant, bargain, sell and convey unto JOSEPH MM. PIZZITOLA and MARY SCOTT PIZZITOLA (GRANTEE) as Joint Tenants with Right of Survivorship, the following described real estate situated in SHELBY COUNTY, ALABAMA to-wit:

LOT 3, ACCORDING TO THE SURVEY OF PARK LANE ADDITION TO RIVERCHASE, AS RECORDED IN MAP BOOK 11, PAGE 17 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA, LESS AND EXCEPT THAT PART OF LOT 3 MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE MOST SOUTHERLY CORNER OF LOT 3, RUN IN A NORTHWESTERLY DIRECTION ALONG THE SOUTHWEST LINE OF SAID LOT 3 FOR A DISTANCE OF 120.32 FEET; THENCE TURN AN ANGLE TO THE RIGHT OF 27 DEGREES 52' 21" AND RUN IN A NORTHERLY DIRECTION ALONG THE WEST LINE OF SAID LOT 3 FOR A DISTANCE OF 5.0 FEET; THENCE TURN AN ANGLE TO THE RIGHT OF 144 DEGREES 26' 26" AND RUN IN A SOUTHEASTERLY DIRECTION FOR A DISTANCE OF 117.08 FEET TO A POINT THAT IS 20.0 FEET NORTHEAST OF THE POINT OF BEGINNING; THENCE TURN AN ANGLE TO THE RIGHT OF 71 DEGREES 51' 13" AND RUN IN A SOUTHWESTERLY DIRECTION ALONG THE SOUTHEAST LINE OF SAID LOT 3 FOR A DISTANCE OF 20.0 FEET TO THE POINT OF BEGINNING.

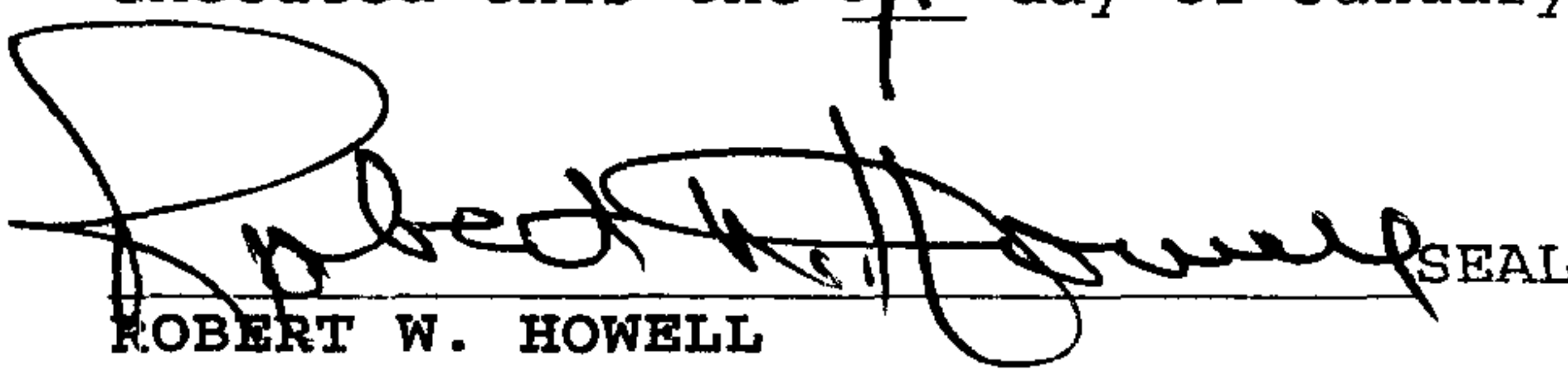
Subject to:

1. Advalorem Taxes due October 1, 2004.
2. Minerals and mining rights not owned by Grantor.
3. Restrictions, Building Line and Easements shown on record map.
4. Restrictions in MISC. BOOK 14, PAGE 536; amended in MISC. BOOK 17, PAGE 550; DEED BOOK 312, PAGE 255; and BOOK 101, PAGE 965.
5. Certificate of Compliance in MISC. BOOK 34, PAGE 549.
6. Right of Way granted Alabama Power Company in BOOK 167, PAGE 346.
7. Agreement with Alabama Power Company for Underground Residential Distribution in BOOK 166, PAGE 73.
8. Terms, Agreement and Right of Way to Alabama Power Company in BOOK 166, PAGE 76.
9. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges, immunities and release of damages relating thereto, as recorded in DEED BOOK 127, PAGE 140.

\$310000.00 of the consideration was paid from the proceeds of a Mortgage Loan.

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, the heirs and assigns of the grantees herein shall take as tenants in common. And said GRANTORS do for themselves, their heirs, successors, assigns, and personal representatives covenant with said GRANTEES, their heirs, successors and assigns that they are lawfully seized in fee simple of said premises, that they are free from all encumbrances, unless otherwise noted above, that they have a good right to sell and convey the same as aforesaid, and that they will and their heirs, successors, assigns and personal representatives shall, warrant and defend the same to the said GRANTEES, their heirs, successors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said GRANTORS have caused this conveyance to be executed this the 9th day of January, 2004.

 SEAL
ROBERT W. HOWELL

 SEAL
DONNA L. HOWELL

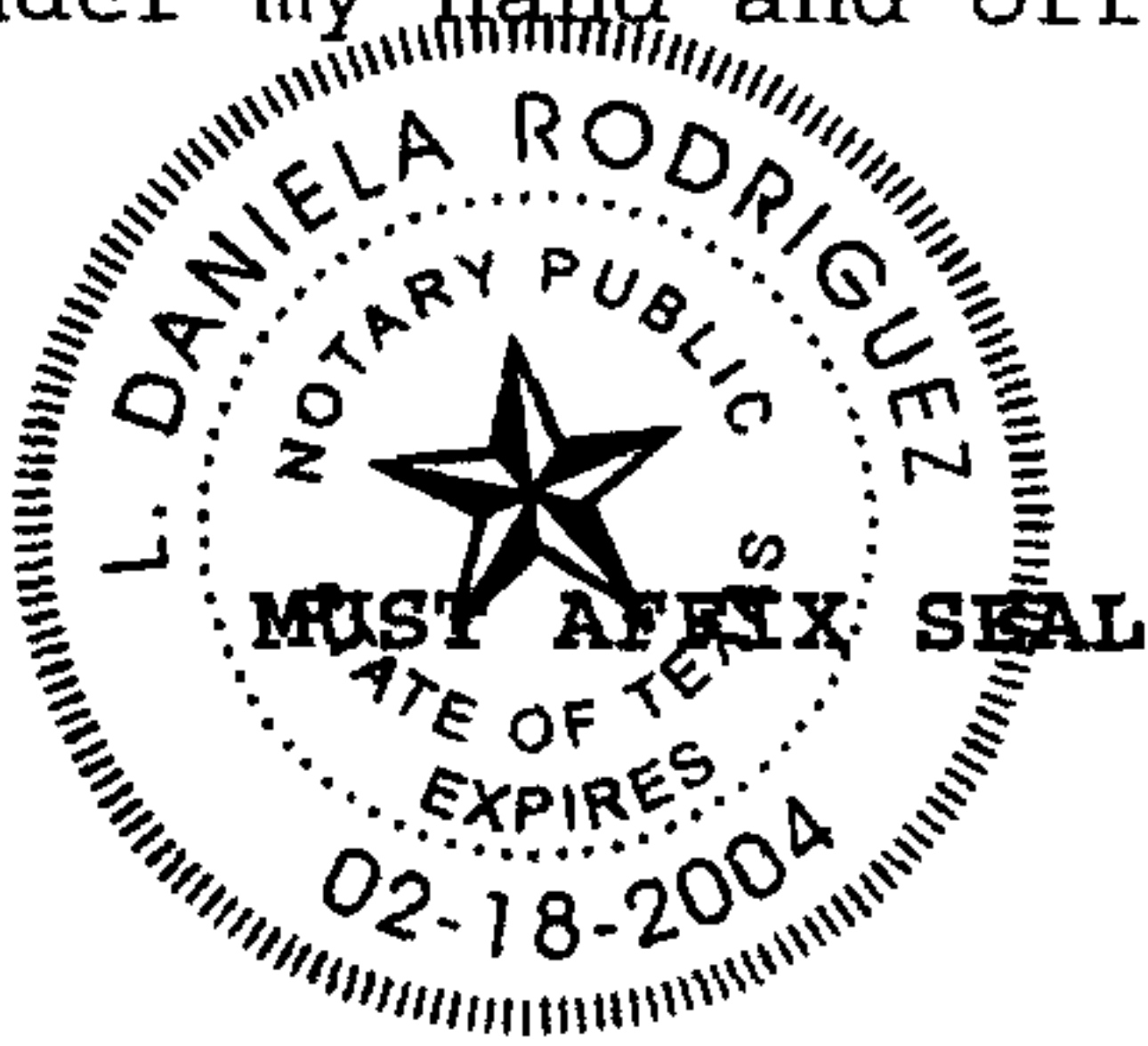
STATE OF TEXAS
COUNTY OF Bexar

I, the undersigned, a Notary Public, in and for said County in said State, hereby certify that ROBERT W. HOWELL and spouse, DONNA L. HOWELL whose names

Gene Gray

are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day, that being informed of the contents of said conveyance, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal of office this 9th day of January, 2004.



Daniela Rodriguez
Notary Public
NAME: Daniela Rodriguez
Commission Expires: 02-18-2004

THIS INSTRUMENT PREPARED BY:
GENE W. GRAY, JR.
2100 SOUTHBRIDGE PARKWAY,
SUITE 638
BIRMINGHAM, AL 35209
205 879 3400

SEND TAX NOTICE TO:
JOSEPH M. PIZZITOLA
MARY SCOTT PIZZITOLA
2009 LAKESIDE LANE
BIRMINGHAM, AL 35244