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(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was
prepared by:

SEND TAX NOTICE TO:

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

RONALD J. HERCEG
2004 HEATHERBROOK RD
BIRMINGHAM, AL 35242

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 TEN THOUSAND DOLLARS and 00/100 (\$110,000.00) to the undersigned grantor, RIVERWOODS PROPERTIES, LLC in hand paid by the GRANTEES herein, the receipt of which is hereby acknowledged, the said GRANTOR, does by these presents, grant, bargain, sell and convey unto RONALD J. HERCEG and CHERYL S. HERCEG, 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 306A ACCORDING TO THE FINAL PLAT RIVERWOODS THIRD SECTOR RESURVEY AS RECORDED IN MAP BOOK 31, PAGE 132 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. BUILDING LINES, EASEMENTS AND RESTRICTIONS AS SHOWN BY RECORDED MAP.
3. RESERVATIONS PROVISIONS EXCEPTIONS AND CONDITIONS RECORDED IN REAL 112, PAGE 876 AND REAL 328, PAGE 1 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
4. MINERAL AND MINING RIGHTS AND RIGHTS INCIDENT THERETO RECORDED IN REAL 180, PAGE 715 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
5. MEMORANDUM OF OIL AND GAS LEASE RECORDED IN REAL 370, PAGE 932 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
6. RESTRICTIONS APPEARING OF RECORD IN INSTRUMENT 2002-7338 AND INSTRUMENT 20020730000356170 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
7. THE RIGHTS OF UPSTREAM AND DOWNSTREAM RIPARIAN OWNERS WITH RESPECT TO ANY BODY OF WATER WHICH MAY LIE ADJACENT TO AND/OR TRAVERSING THROUGH SUBJECT PROPERTY.
8. 200 FOOT SETBACK LINE FROM RIVER AS SHOWN BY RECORDED MAP.

\$88,000.00 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 said GRANTOR does for itself, its successors and assigns, covenant with the said GRANTEES, his, her, or their heirs and assigns, that it is lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that it has a good right to sell and convey the same as aforesaid, and that it will and its successors and assigns 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 GRANTOR, RIVERWOODS PROPERTIES, LLC, by its SEC OF PZ, INC MANAGING MEMBER, JILL HUBBARD who is authorized to execute this conveyance, has hereunto set its signature and seal, this the 20th day of February, 2004.

RIVERWOODS PROPERTIES, LLC

By: 

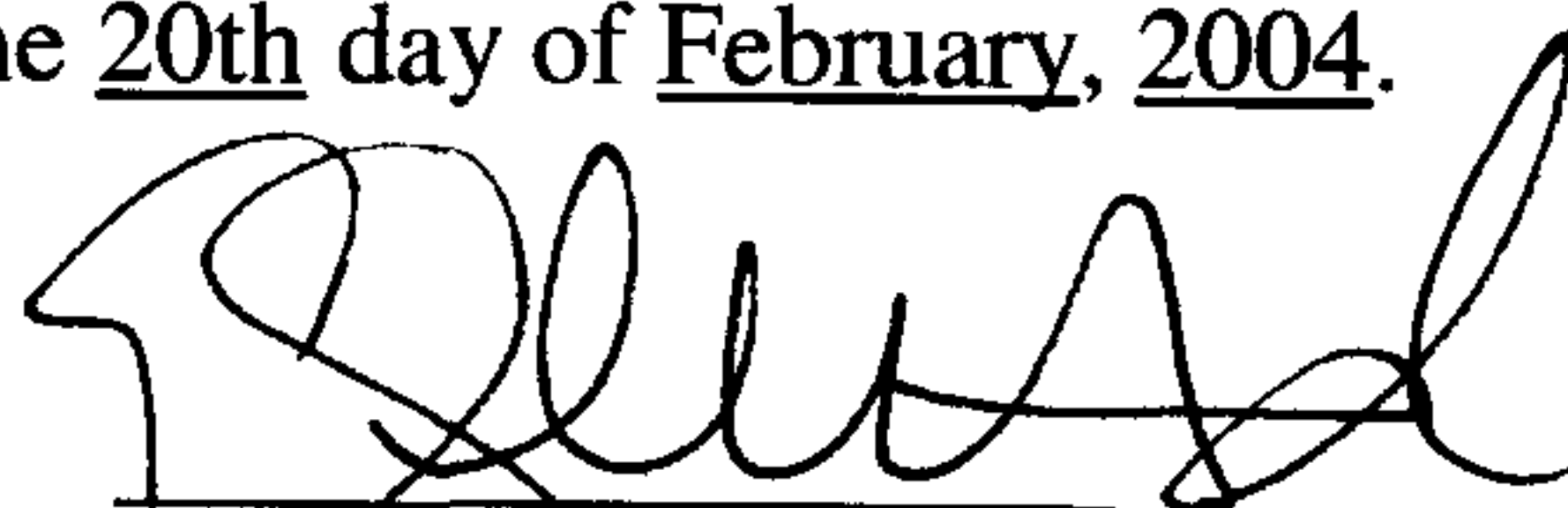
JILL HUBBARD, SEC OF PZ, INC MANAGING MEMBER

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that JILL HUBBARD, whose name as SEC OF PZ, INC MANAGING MEMBER of RIVERWOODS PROPERTIES, LLC, a corporation, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he or she, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand this the 20th day of February, 2004.


Notary Public

My commission expires: 10.2.05