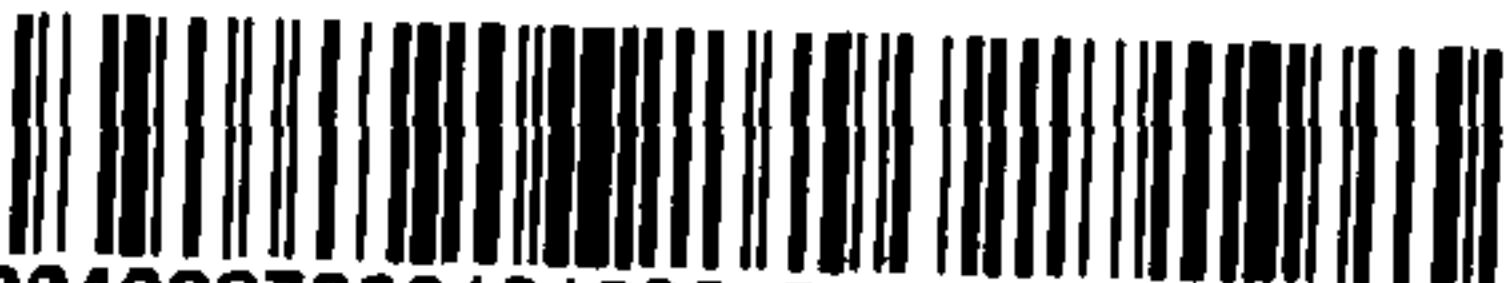


SEND TAX NOTICE TO: MARK SMITH
5228 VALLEYBROOK CIRCLE
BIRMINGHAM, ALABAMA 35244


20040227000101290 Pg 1/1 55.00
Shelby Cnty Judge of Probate, AL
02/27/2004 12:27:00 FILED/CERTIFIED

WARRANTY DEED

WARRANTY DEED, JOINTLY FOR LIFE WITH REMAINDER TO SURVIVOR

STATE OF ALABAMA:
COUNTY OF SHELBY:

KNOW ALL MEN BY THESE PRESENTS, that in consideration of \$220,000.00 and other valuable considerations to the undersigned GRANTOR or GRANTORS in hand paid by the GRANTEE(S) herein, the receipt whereof, is hereby acknowledged I/we, **BARBARA E. FATTIBENE, AN UNMARRIED WOMAN**, (herein referred to as GRANTOR(S), do hereby GRANT, BARGAIN, SELL and CONVEY unto **MARK T. SMITH and SHARON K. SMITH, HUSBAND AND WIFE**, (herein referred to as GRANTEE(S)for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, together with every contingent remainder and right of reversion, the following described real estate, situated in the **County of SHELBY, and State of Alabama**, to-wit:

LOT 14, ACCORDING TO THE RESURVEY OF VALLEYBROOK, PHASE II, AS RECORDED IN MAP BOOK 12, PAGE 12, IN THE PROBATE OFFICE OF THE JUDGE OF PROBATE, SHELBY COUNTY, ALABAMA.

SITUTATED IN SHELBY COUNTY, ALABAMA.

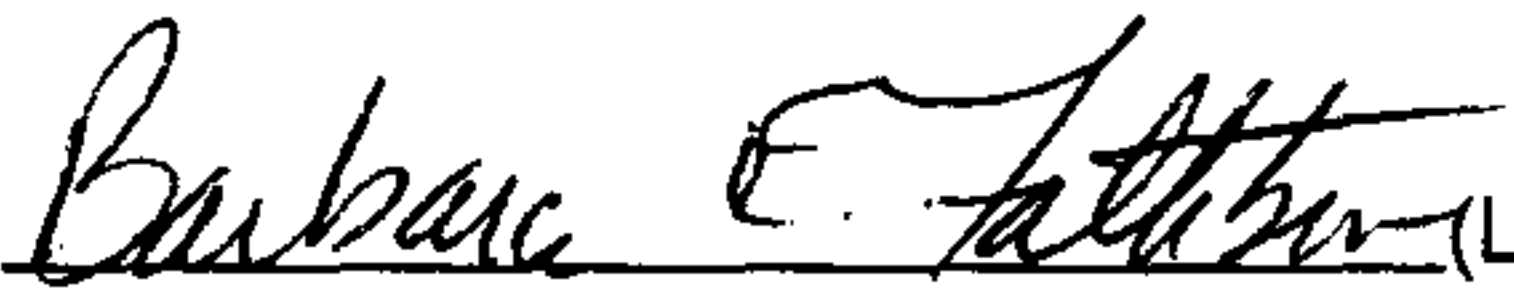
\$176,000.00 of the purchase price received above was paid from a first purchase money mortgage loan closed simultaneously herewith.

Subject to easements, restrictive covenants and ad valorem taxes of record.

TO HAVE AND TO HOLD to the said GRANTEES for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, and to their heirs and assigns of such survivor forever, together with every contingent remainder and right of reversion.

And I(we) do for myself(ourselves) and for my(our) heirs, executors, and administrators covenant with the said GRANTEES, their heirs and assigns, that I am(we are) lawfully seized in fee simple of said premises; that they are free from all encumbrances, that I (we) have a good right to sell and convey the same to the said GRANTEES, their heirs and assigns forever, against the lawful claims of all persons, except as to the hereinabove restrictive covenants, conditions, easements and ad valorem taxes of record and do hereby WARRANT AND WILL FOREVER DEFEND the title to said property and the possession thereof.

IN WITNESS WHEREOF, we have hereunto set our hands and seals, this 25th day of February, 2004.

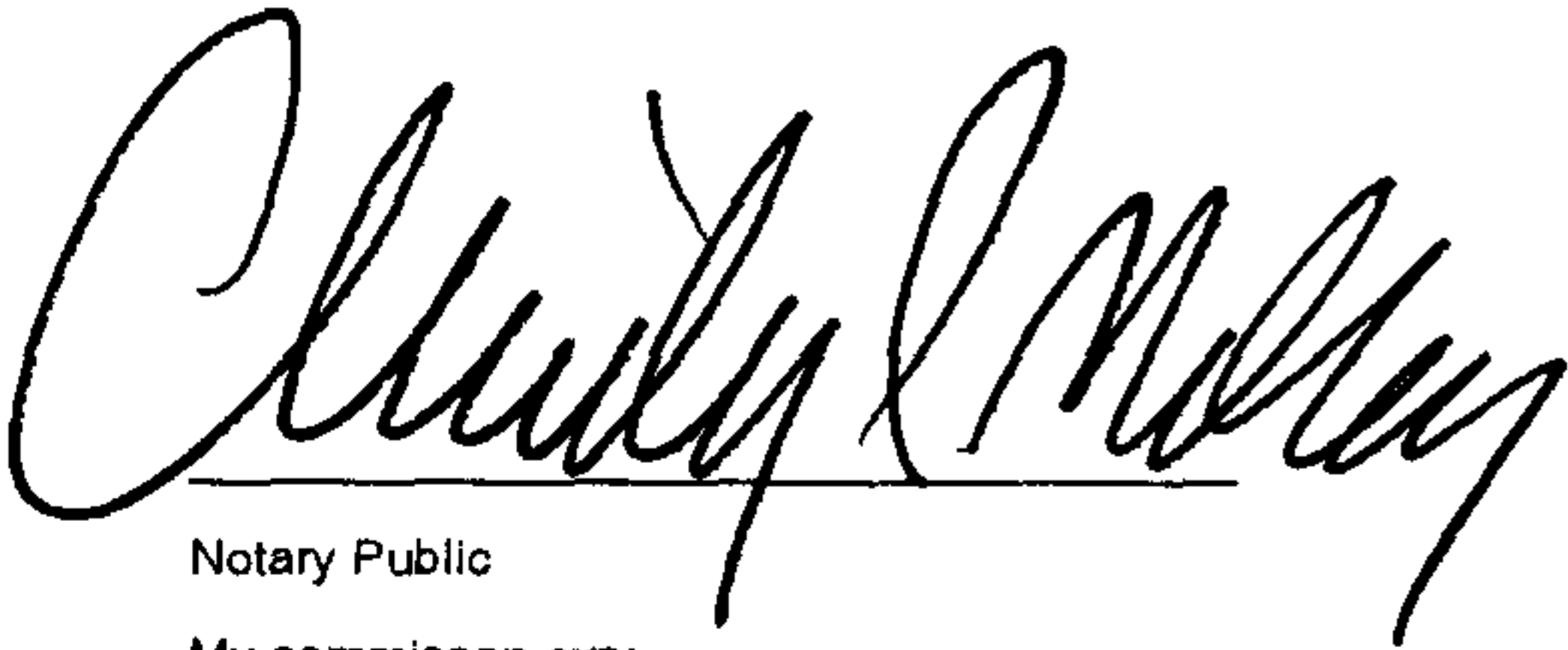

BARBARA E. FATTIBENE (L.S.)

_____(L.S.)

THE STATE OF ALABAMA:
COUNTY OF JEFFERSON

I, the undersigned, a Notary Public in and for said State hereby certify that BARBARA E. FATTIBENE and , 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/they executed the same voluntarily on the day the same bears date.

Given under my hand official seal this 25th day of February, 2004.


Notary Public
My commisson exp:_____

Prepared by:
CHRISTOPHER P. MOSELEY
MOSELEY & ASSOCIATES, P.C.
3800 COLONNADE PARKWAY, SUITE 630
BIRMINGHAM, AL 35243

CHRISTOPHER P. MOSELEY
MY COMMISSION EXPIRES 10/27/05