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(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:

D & L HOMES, INC.
P.O. BOX 1327
PELHAM, AL 35124

STATE OF ALABAMA)

COUNTY OF SHELBY)

WARRANTY DEED

Know All Men by These Presents: That in consideration of ONE HUNDRED THOUSAND DOLLARS and 00/100 (\$100,000.00) to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, WALTER B. BEARD and BERTHA BEARD, HUSBAND AND WIFE (herein referred to as GRANTORS) do grant, bargain, sell and convey unto D & L HOMES, INC., (herein referred to as GRANTEES, whether one or more) the following described real estate, situated in SHELBY County, Alabama, to-wit:

LOTS 6 AND 8, ACCORDING TO THE SURVEY OF SMOKEY RIDGE ESTATES BEING A RESURVEY OF LOTS 3-A, 4-A, 5-A AND 6-A SPAIN ESTATES AS RECORDED IN MAP BOOK 32, PAGE 78 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

SUBJECT TO:

1. TAXES FOR THE YEAR BEGINNING OCTOBER 1, 2003, WHICH CONSTITUTE A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 2004.
2. DECLARATION OF PROTECTIVE COVENANTS OF SAID SUBDIVISION AS SET OUT IN INST. NO. 2003-1565 IN PROBATE OFFICE.
3. RESTRICTIONS, LIMITATIONS, EASEMENTS AND CONDITIONS AS SET OUT IN MAP BOOK 32, PAGE 78 AND MAP BOOK 5, PAGE 32 IN SAID PROBATE OFFICE.
4. BUILDING SETBACK LINE OF 75 FEET IS RESERVED FROM THE SOUTH AND EAST SIDES AND FROM THE CUL-D-SAC, AS SHOWN BY PLAT.
5. PUBLIC UTILITY EASEMENTS AS SHOWN BY PLAT.
6. EASEMENT OF ALABAMA POWER COMPANY AS RECORDED IN INST. NO. 2001-09982 IN PROBATE OFFICE.

\$209,250.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

TO HAVE AND TO HOLD Unto the said GRANTEES, his, her or their heirs and assigns, forever.

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, WALTER B. BEARD and BERTHA BEARD, HUSBAND AND WIFE, have hereunto set his, her or their signature(s) and seal(s), this the 9th day of March, 2004.

*Walter B. Beard by and
through his attorney*

WALTER B. BEARD, BY AND
THROUGH HIS ATTORNEY
IN FACT, BERTHA BEARD

Bertha Beard

BERTHA BEARD

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that BERTHA BEARD 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 9th day of March, 2004.

[Signature]

Notary Public

My commission expires: 10.2.05

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGMENT

I, the undersigned, a Notary Public in and for said State of Alabama at Large, hereby certify that, BERTHA BEARD whose name as Attorney in Fact for WALTER B. BEARD, is signed to the foregoing instrument and who is known to me, acknowledged before me on this date that, being informed of the instrument, she, in her capacity as such Attorney in Fact, and with full authority executed the same voluntarily on the date the same bears date.

Given under my hand and seal on this the 9TH DAY OF MARCH, 2004.

[Signature]

NOTARY PUBLIC

MY COMMISSION EXPIRES: 10.2.05

10504

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGMENT

I, the undersigned, a Notary Public in and for said State of Alabama at Large, hereby certify that, BERTHA BEARD whose name as Attorney in Fact for WALTER B. BEARD, is signed to the foregoing instrument and who is known to me, acknowledged before me on this date that, being informed of the instrument, she, in her capacity as such Attorney in Fact, and with full authority executed the same voluntarily on the date the same bears date.

Given under my hand and seal on this the 9TH DAY OF MARCH, 2004.



NOTARY PUBLIC

MY COMMISSION EXPIRES: 10.2.05