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Shelby Cnty Judge of Probate, AL  
04/28/2004 13:28:00 FILED/CERTIFIED

FRS File No.: 382432

Customer File No.: 3302066

**WARRANTY DEED**

THE STATE OF Alabama }  
COUNTY OF Shelby }

KNOW ALL MEN BY THESE PRESENTS: That in consideration of One Hundred and No/100 (\$100.00) DOLLARS and other valuable considerations to the undersigned GRANTOR, in hand paid by the GRANTEES herein, the receipt of which is hereby acknowledged, James C. Upchurch and Deborah C. Upchurch, husband and wife, (herein referred to as GRANTOR), does hereby GRANT, BARGAIN, SELL and CONVEY unto  
Prudential Residential Services, Limited Partnership, a Delaware Limited Partnership, acting by its General Partner, Prudential Homes Corporation

(herein referred to as GRANTEE), its heirs and assigns,

the following described real estate, situated in the County of Shelby, State of Alabama, to-wit:

Lot 729, according to the Map and Survey of Eagle Point, 7th Sector, as recorded in Map Book 20, page 18, in the Probate Office of Shelby County, Alabama.

This conveyance is made subject to any and all easements, restrictions and rights-of-way which appear of record and affect the above-described property.

For ad valorem tax appraisal purposes only, the address of the property is 2031 Eagle Creek Circle, Birmingham, AL 35242, which is the address of the Grantees.

TO HAVE AND HOLD the tract or parcel of land above described, together with improvements and appurtenances thereunto pertaining, unto the said GRANTEE, its heirs and assigns, forever.

CLAYTON T. SWEENEY, ATTORNEY AT LAW

AND GRANTOR does covenant with the said GRANTEE, its heirs and assigns, that GRANTOR is lawfully seized in fee simple of the aforementioned premises; that GRANTOR is free from all encumbrances, except as hereinabove provided; that GRANTOR has a good right to sell and convey the same to the said GRANTEE, its heirs and assigns, and that GRANTOR will warrant and defend the premises to the said GRANTEE, its heirs and assigns, forever, against the lawful claims and demands of all persons except as hereinabove provided.

IN WITNESS WHEREOF, GRANTOR has caused this instrument to be executed on this 1st day of March, 2004

James C. Upchurch (Seal)  
James C. Upchurch

Deborah C. Upchurch (Seal)  
Deborah C. Upchurch

THE STATE OF Alabama }  
COUNTY OF Shelby

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that James C. Upchurch a married man (fill in marital status) whose name 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 executed the same voluntarily on the day the same bears date.

GIVEN under my hand and seal this the 1st day of March, 2004.

Marsha H. Fifer (Seal)  
Notary Public

Marsha H. Fifer

THE STATE OF Alabama }  
COUNTY OF Shelby

My Commission Expires:  
September 19, 2006

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Deborah C. Upchurch a married woman (fill in marital status) whose name 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, she executed the same voluntarily on the day the same bears date.

GIVEN under my hand and seal this the 1st day of March, 2004.

Marsha H. Fifer (Seal)  
Notary Public

Marsha H. Fifer

This document prepared by: Melinda Perez, Document Services Consultant, 10010 San Pedro, Suite 800, San Antonio, TX 78216

My Commission Expires:  
September 19, 2006