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20040526000280970 Pg 1/2 86.00  
Shelby Cnty Judge of Probate, AL  
05/26/2004 12:18:00 FILED/CERTIFIED

(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

RITCHIE WILSON  
5053 WAGON TRACE  
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 THREE HUNDRED SIXTY THOUSAND DOLLARS and 00/100 (\$360,000.00) to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, JOSEPH V. CARNAGGIO and SUZANNE W. CARNAGGIO, HUSBAND AND WIFE (herein referred to as GRANTORS) do grant, bargain, sell and convey unto RITCHIE WILSON AND MARY WILSON, 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 3, BLOCK 5, ACCORDING TO THE SURVEY OF APPECROSS AS RECORDED IN MAP BOOK 6, PAGE 42 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. EASEMENTS AND BUILDING LINES AS SHOWN ON RECORDED MAP.
3. RESTRICTIONS AS SET FORTH IN MAP BOOK 10, PAGE 515 AND AMENDED IN MISC BOOK 13, PAGE 154 AND MISC. BOOK 17, PAGE 183.
4. RESTRICTIVE COVENANTS TO ALABAMA POWER COMPANY AS RECORDED IN MISC BOOK 10, PAGE 557.
5. AGREEMENT WITH ALABAMA POWER COMPANY AS RECORDED IN MISC. BOOK 10, PAGE 558.
6. RIGHT OF WAY GRANTED TO ALABAMA POWER COMPANY BY INSTRUMENT RECORDED IN REAL VOLUME 109, PAGE 293; REAL VOLUME 126, PAGE 343; REAL VOLUME 196, PAGE 68; REAL VOLUME 184, PAGE 166; REAL VOLUME 291, PAGE 386; REAL VOLUME 293, PAGE 755 AND REAL VOLUME 84, PAGE 646.
7. TITLE TO ALL MINERALS WITHIN AND UNDERLYING THE PREMISES TOGETHER WITH ALL MINING RIGHTS AND RIGHTS PRIVILEGES AND IMMUNITIES THERETO TOGETHER WITH ANY RELEASE OF LIABILITY FOR

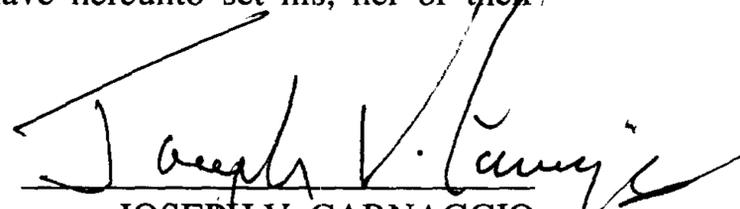
INJURY OR DAMAGE TO PERSONS OR PROPERTY AS A RESULT OF THE EXERCISE OF SUCH RIGHTS AS RECORDED IN DEED BOOK 64, PAGE 267 AND DEED BOOK 48, PAGE 427.

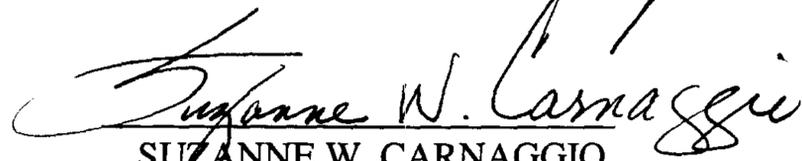
\$288,000.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

**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 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, JOSEPH V. CARNAGGIO and SUZANNE W. CARNAGGIO, HUSBAND AND WIFE, have hereunto set his, her or their signature(s) and seal(s), this the 20th day of May, 2004.

  
JOSEPH V. CARNAGGIO

  
SUZANNE W. CARNAGGIO

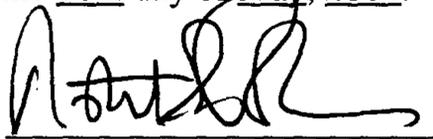
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ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that JOSEPH V. CARNAGGIO and SUZANNE W. CARNAGGIO, HUSBAND AND WIFE, 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 20th day of May, 2004.

  
Notary Public

My commission expires: 7/11/06