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DJ

(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

JOHNATHON BURTON  
710 SHOAL RUN TRAIL  
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 FORTY NINE THOUSAND FIVE HUNDRED DOLLARS and 00/100 (\$49,500.00) to the undersigned grantor, SECOND UNION INVESTORS, LLC, AN ALABAMA LIMITED LIABILITY COMPANY 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 JOHNATHON BURTON and EMILY BURTON, 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 87 ACCORDING TO THE SURVEY OF OAKLYN HILLS PHASE 2 AS RECORDED IN MAP BOOK 30, PAGE 17 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

SUBJECT TO:

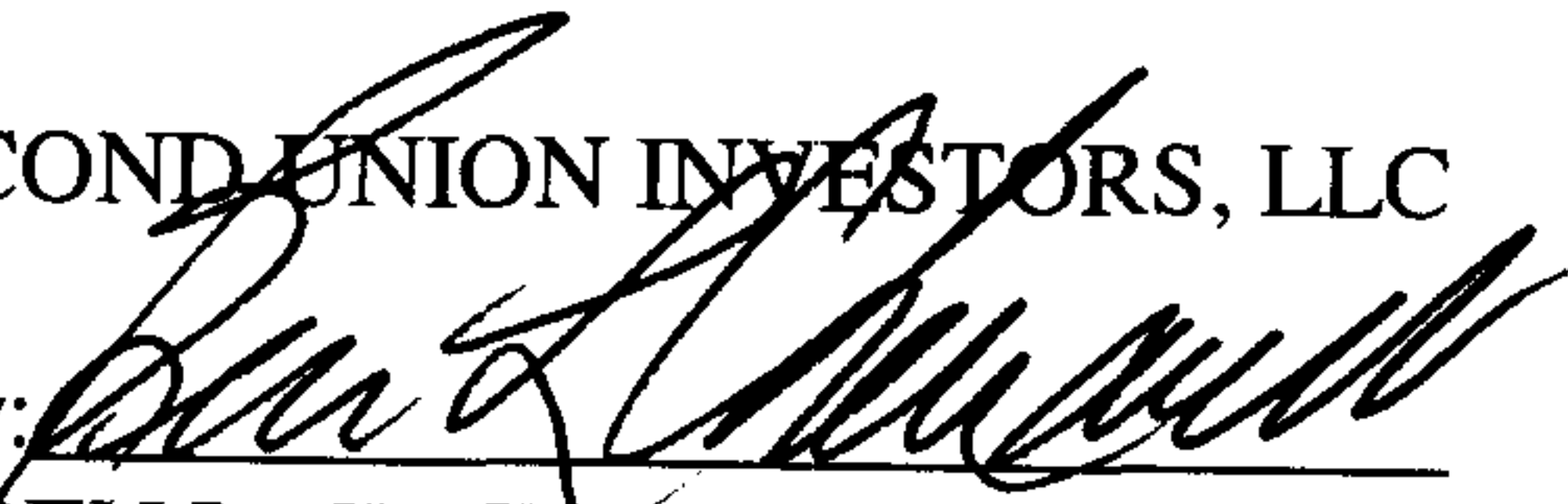
1. TAXES FOR THE YEAR 2003 WHICH CONSTITUTE A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 2004.
2. RIGHT OF WAY GRANTED TO ALABAMA POWER COMPANY BY INSTRUMENT RECORDED IN DEED BOOK 165, PAGE 105.
3. RIGHTS OF WAY TO SHELBY COUNTY, AS RECORDED IN DEED BOOK 229, PAGE 492 AND DEED BOOK 39, PAGE 469.
4. RESTRICTIONS APPEARING OF RECORD IN INSTRUMENT 1998-27389 AND AMENDED IN INSTRUMENT 2002-34405 AND INSTRUMENT 2002-29305.
5. RAILROAD RIGHT OF WAY RESERVED BY SOUTH AND NORTH RAILROAD IN DEED BOOK T, PAGE 655.
6. NOTES AS SHOWN ON RECORDED MAP.
7. EASEMENTS AND BUILDING LINES AS SHOWN ON RECORDED MAP.
8. RESTRICTIVE COVENANT AND GRANT OF LAND EASEMENT TO ALABAMA POWER IN INSTRUMENT 2002-46361.

**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, SECOND UNION INVESTORS, LLC, by its MANAGER, BEN L. CHENAULT who is authorized to execute this conveyance, has hereunto set its signature and seal, this the 21st day of May, 2004.

SECOND UNION INVESTORS, LLC  
By:   
BEN L. CHENAULT, MANAGER

STATE OF ALABAMA)  
COUNTY OF SHELBY)

ACKNOWLEDGMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that BEN L. CHENAULT, whose name as MANAGER of SECOND UNION INVESTORS, LLC, an Alabama Limited Liability Company, 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 limited liability company.

Given under my hand this the 21st day of May, 2004.

  
Notary Public

My commission expires: 9.29.06