


SEND TAX NOTICES TO:
Gardner Builders, Inc.
193 Brook Trace Dr.
Hoover, Alabama 35244


20040614000318760 Pg 1/1 62.00
Shelby Cnty Judge of Probate, AL
06/14/2004 10:09:00 FILED/CERTIFIED

WARRANTY DEED

STATE OF ALABAMA)
COUNTY OF SHELBY)

KNOW ALL MEN BY THESE PRESENTS, that in consideration of the sum of Two Hundred Sixty-five Thousand and no/100 Dollars (\$265,000.00) and other good and valuable consideration to the undersigned grantor, in hand paid by the grantee herein, the receipt of which is hereby acknowledged **RICHARD E. RUSHING, JR. and wife, MYLEND A F. RUSHING**, (herein referred to as "Grantor"), hereby grants, bargains, sells, and conveys unto **GARDNER BUILDERS, INC.**, (herein referred to as "Grantee") , their interest in the following described real estate situated in Jefferson County, Alabama, to wit:

Lot 415-A, according to the Resurvey of Lots 406 thru 422, Amended Map of Old Cahaba Lakewood Sector, as recorded in Map Book 26, Page 43, in the Office of the Judge of Probate of Shelby County, Alabama.

Subject to all easements, restrictions, covenants, rights of way of record; taxes not yet due and payable.

\$214,400.00 of the purchase price recited herein was paid from the proceeds of a mortgage loan closed simultaneously herewith.

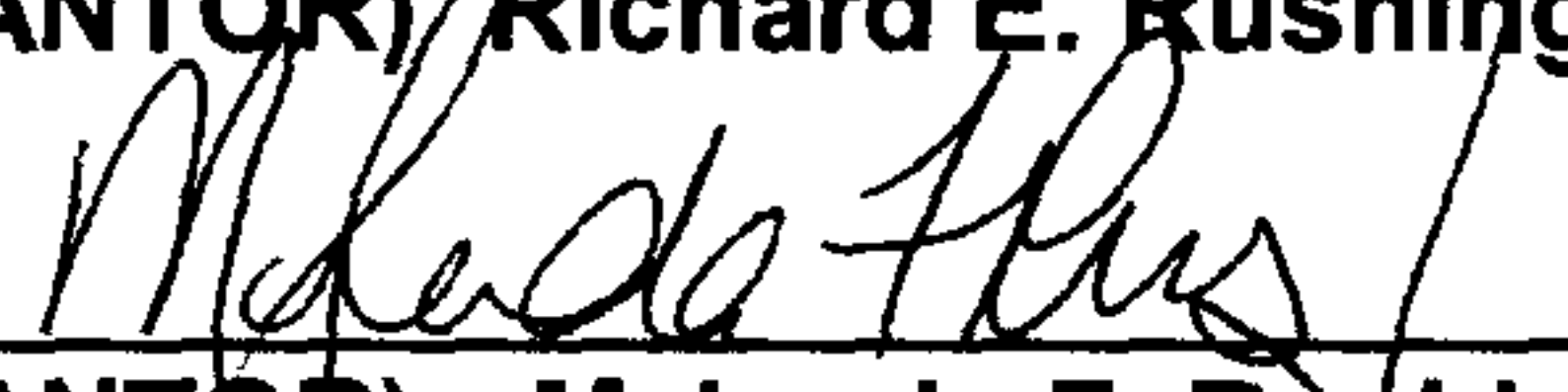
TO HAVE AND TO HOLD the described premises to Grantee, its successors and assigns forever.

AND THE GRANTOR does for their heirs, executors, successors and assigns, covenant with said Grantee, its successors and assigns, that Grantor is lawfully seized in fee simple of the premises, that they are free from all encumbrances, unless otherwise noted above, that Grantor has good right to sell and convey the same as aforesaid, and that Grantor will and their heirs, executors, successors and assigns shall warrant and defend same to said Grantee, its successors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the Grantor has signed and sealed this Deed on the 8th day of June, 2004.



(GRANTOR) **Richard E. Rushing, Jr.**

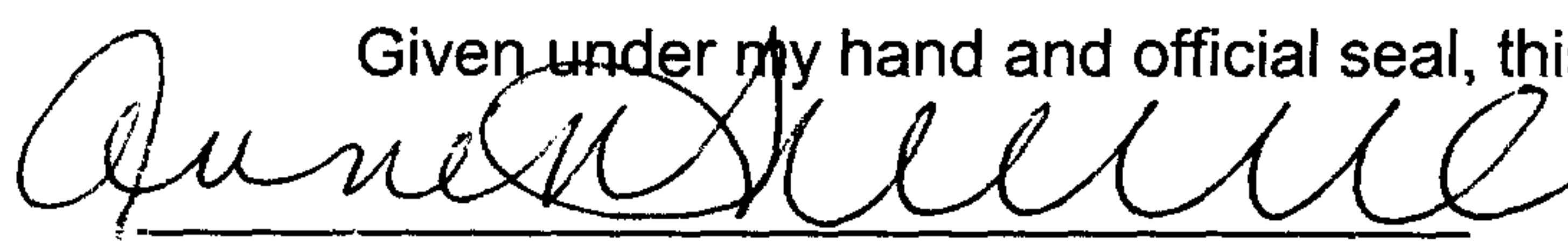


(GRANTOR) **Mylenda F. Rushing**

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby state that Richard E. Rushing, Jr. and Mylenda F. Rushing, whose names are signed to the foregoing instrument and who are known to me, acknowledged before me on this day that, being informed of the contents of this instrument, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this the 8th day of June, 2004.



NOTARY PUBLIC Anne R. Strickland
My Commission Expires: 5/11/05

THIS INSTRUMENT PREPARED BY:
Anne R. Strickland, Attorney at Law
5330 Stadium Trace Parkway, Suite 250
Birmingham, Alabama 35244