

DP
11073

(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

JOHNNY D. SETSER
2409 FOREST LAKES LANE
CHELSEA, AL., 35043

STATE OF ALABAMA)

COUNTY OF SHELBY)

JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

WARRANTY DEED

Know All Men by These Presents: That in consideration of ONE HUNDRED FIFTY EIGHT THOUSAND ONE HUNDRED TWENTY FIVE DOLLARS and 00/100 (\$158,125.00) to the undersigned grantor, AMERICAN HOMES AND LAND CORPORATION 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 JOHNNY D. SETSER and SANDY L. SETSER, (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 234 ACCORDING TO THE SURVEY OF FOREST LAKES SUBDIVISION, 3RD SECTOR, 2ND PHASE, AS RECORDED IN MAP BOOK 32, PAGE 26A&B, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

SUBJECT TO:

1. TAXES FOR THE YEAR BEGINNING OCTOBER 1, 2003 WHICH CONSTITUTES A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 2004.
2. EASEMENTS, BUILDING LINES AND RESTRICTIONS AS SHOWN BY RECORDED MAP.
3. SUBJECT TO MATTERS SHOWN ON RECORDED MAP BOOK 32 AT PAGE 26A&B.
4. BUILDING SETBACK LINE OF 15 FEET, AS SHOWN ON THE RECORDED PLAT OF SUBDIVISION.
5. EASEMENT TO ALABAMA POWER COMPANY RECORDED IN BOOK 126 AT PAGE 191; BOOK 16 AT PAGE 323; AND BOOK 236 AT PAGE 829.
6. EASEMENT TO SHELBY COUNTY RECORDED IN INSTRUMENT NO. 1993-03955; 1993-03957; 1993-03959; 1993-03960; 1993-03961; 1993-03964; 1993-03965; 1993-03966.
7. EASEMENT TO ALABAMA POWER COMPANY RECORDED IN INSTRUMENT NO. 20040102000000390.
8. RESTRICTIONS APPEARING OF RECORD IN INSTRUMENT NO. 2003010096000671368.

\$158,125.00 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 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, AMERICAN HOMES AND LAND CORPORATION, by its CLOSING AGENT, GEORGE M. VAUGHN who is authorized to execute this conveyance, has hereunto set its signature and seal, this the 29th day of June, 2004.

AMERICAN HOMES AND LAND CORPORATION

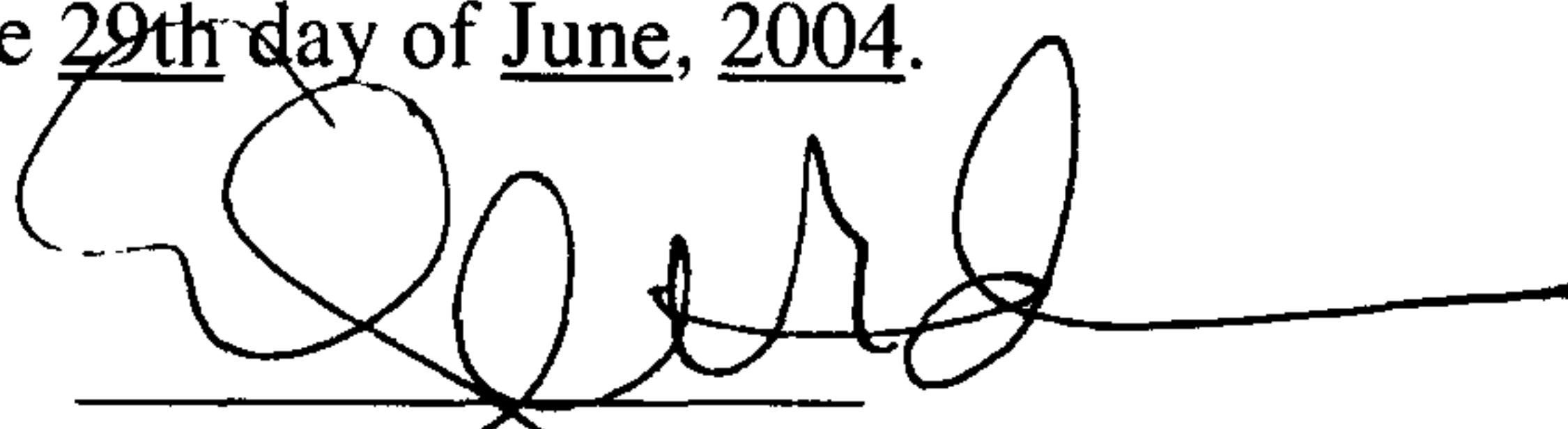
By: 
GEORGE M. VAUGHN, CLOSING AGENT

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that GEORGE M. VAUGHN, whose name as CLOSING AGENT of AMERICAN HOMES AND LAND CORPORATION, a corporation, 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 corporation.

Given under my hand this the 29th day of June, 2004.


Notary Public

My commission expires: 10-2-05