

THIS INSTRUMENT WAS PREPARED BY:

ALAN C. KEITH, ATTORNEY AT LAW
2100 LYNNGATE DRIVE
BIRMINGHAM, ALABAMA 35216

Send tax notice to:
Kenneth K. McCreary
Jennifer E. McCreary
1012 Sandhurst Circle
Birmingham, AL 35242

WARRANTY DEED, JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

**STATE OF ALABAMA
JEFFERSON COUNTY**

KNOW ALL MEN BY THESE PRESENTS,

That in consideration of Three hundred sixty and 00/100 (\$360,000.00) Dollars (of which amount \$288,000.00 is paid from the proceeds of a purchase money mortgage closed and recorded simultaneously herewith) to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt whereof is acknowledged, we, Richard K. Tunstall and wife, Leigh A. Tunstall (herein referred to as grantors) do grant, bargain, sell and convey unto Kenneth K. McCreary and Jennifer E. McCreary (herein referred to as GRANTEES) as joint tenants with right of survivorship, the following described real estate situated in Shelby County, Alabama to-wit:

Lot 130, according to the Map of Highland Lakes, 14th Sector, an Eddleman Community, as recorded in Map Book 30, page 74 A & B, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama. Together with nonexclusive easement to use the private roadways. Common Area all as more particularly described in the Declaration of Easements and Master Protective Covenants for Highland Lakes, a residential subdivision, recorded in Instrument 1994-07111 and amended in Instrument 1996-17543 and amended in Instrument 1999-31095 in the Probate Office of Shelby County, Alabama, and the Declaration of Covenants, Conditions and Restrictions for Highland Lakes, a residential subdivision, 14th Sector, recorded in Instrument No. 2002-539740, in the Probate Office of Shelby County, Alabama (which together with all amendments thereto, is hereinafter collectively referred to as, the "Declaration").

Subject to all rights of way, easements, covenants and restrictions of record.

Subject to current year ad valorem taxes, which are not yet due and payable.

TO HAVE AND TO HOLD to the said GRANTEES as joint tenants with right of survivorship.

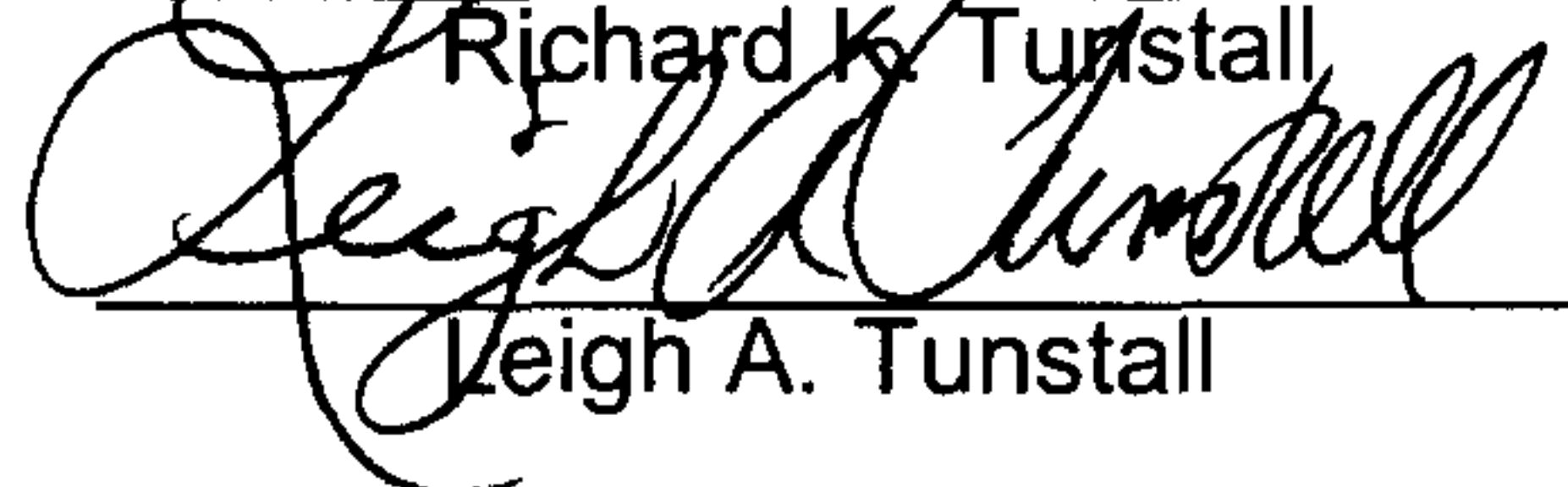
And I (we) do for myself (ourselves) and for my (our) heirs, executors, and administrators covenant with the said GRANTEES, their heirs and assigns, that I am (we are) lawfully seized in fee simple of said premises; that they are free from all encumbrances unless otherwise noted above; that I (we) have 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, their heirs and assigns forever, against the lawful claims of all person.

IN WITNESS WHEREOF, I/we have hereunto set my/our hand(s) and seal(s), this July 29, 2004.

WITNESS:

_____(SEAL)

_____(SEAL)


_____(SEAL)
Richard K. Tunstall

_____(SEAL)
Leigh A. Tunstall

**STATE OF ALABAMA
JEFFERSON COUNTY**

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Richard K. Tunstall and wife, Leigh A. Tunstall, whose name(s) are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal on July 29, 2004.



NOTARY PUBLIC

My commission expires: April 6, 2008