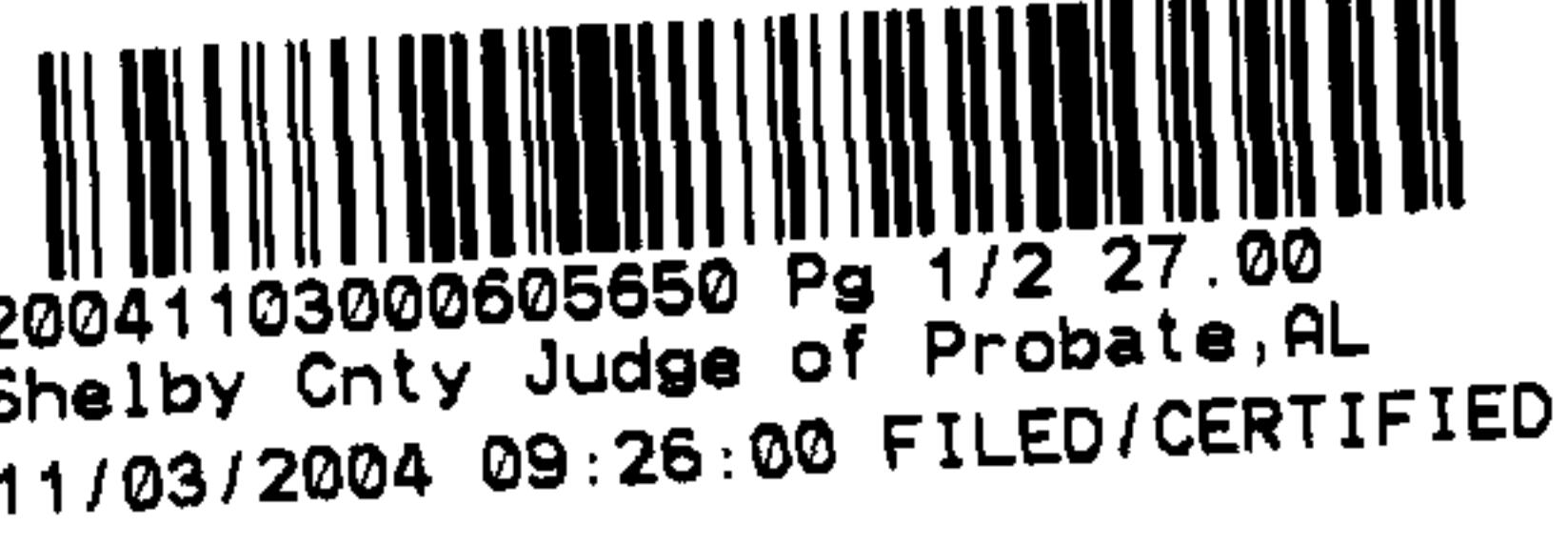


11/03/04
SC



(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was
prepared by:

R. Shan Paden
PADEN & PADEN
Attorneys at Law
5 Riverchase Ridge, Suite 100
Birmingham, Alabama 35244

SEND TAX NOTICE TO:

RICHARD L. NICODEMUS
114 CARRIAGE DRIVE
MAYLENE, AL 35114

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 TWENTY EIGHT THOUSAND NINE HUNDRED DOLLARS and 00/100 (\$128,900.00) to the undersigned grantor or grantors in hand paid by the GRANTEEES herein, the receipt of which is acknowledged, we, MICHAEL WAYNE COOLEY, JR. and KAREN MICHELE COOLEY, HUSBAND AND WIFE (herein referred to as GRANTORS) do grant, bargain, sell and convey unto RICHARD L. NICODEMUS and ROMA A. NICODEMUS, HUSBAND AND WIFE, (herein referred to as GRANTEEES, as joint tenants, with right of survivorship, whether one or more) the following described real estate, situated in SHELBY County, Alabama, to-wit:

LOT 1 ACCORDING TO THE SURVEY OF CARRIAGE HILL PHASE II AS RECORDED IN MAP BOOK 13, PAGE 129 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

SUBJECT TO:

1. TAXES FOR THE YEAR 2004 WHICH CONSTITUTE A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 2005.
2. BUILDING LINES, EASEMENTS AND RESTRICTIONS AS SHOWN BY RECORDED MAP.
3. RESTRICTIONS OR COVENANTS RECORDED IN REAL 262, PAGE 22 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
4. RIGHT OF WAY TO ALABAMA POWER COMPANY AND SOUTHERN BELL TELEPHONE AND TELEGRAPH COMPANY RECORDED IN REAL 273, PAGE 230 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

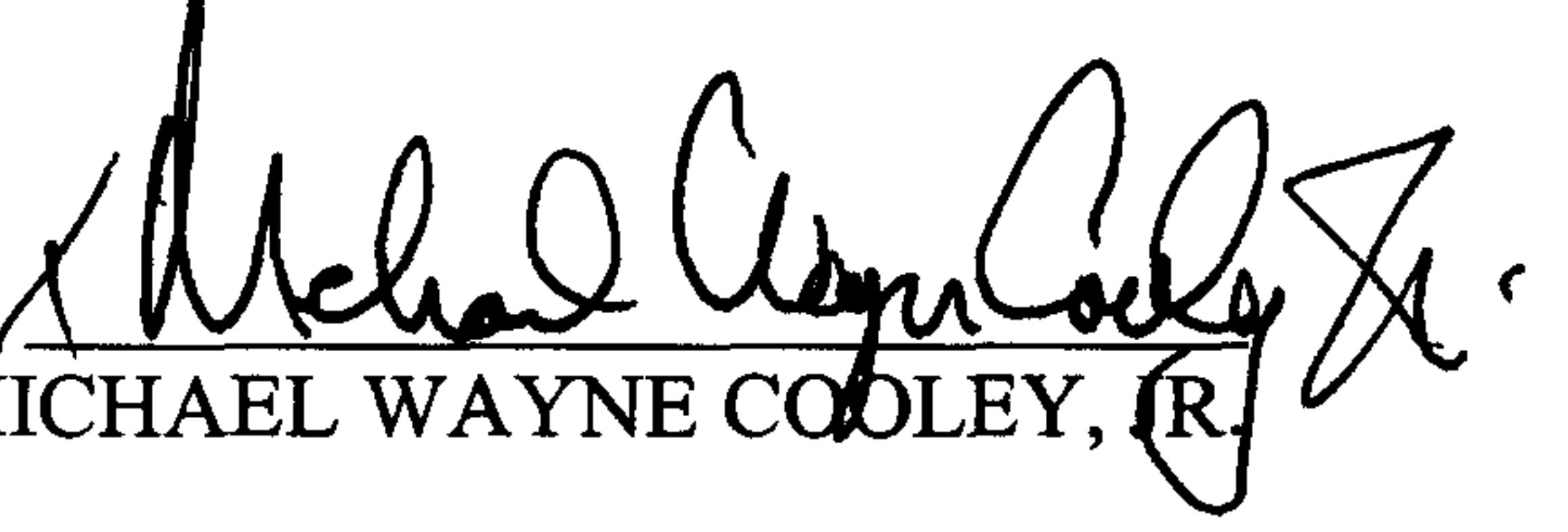
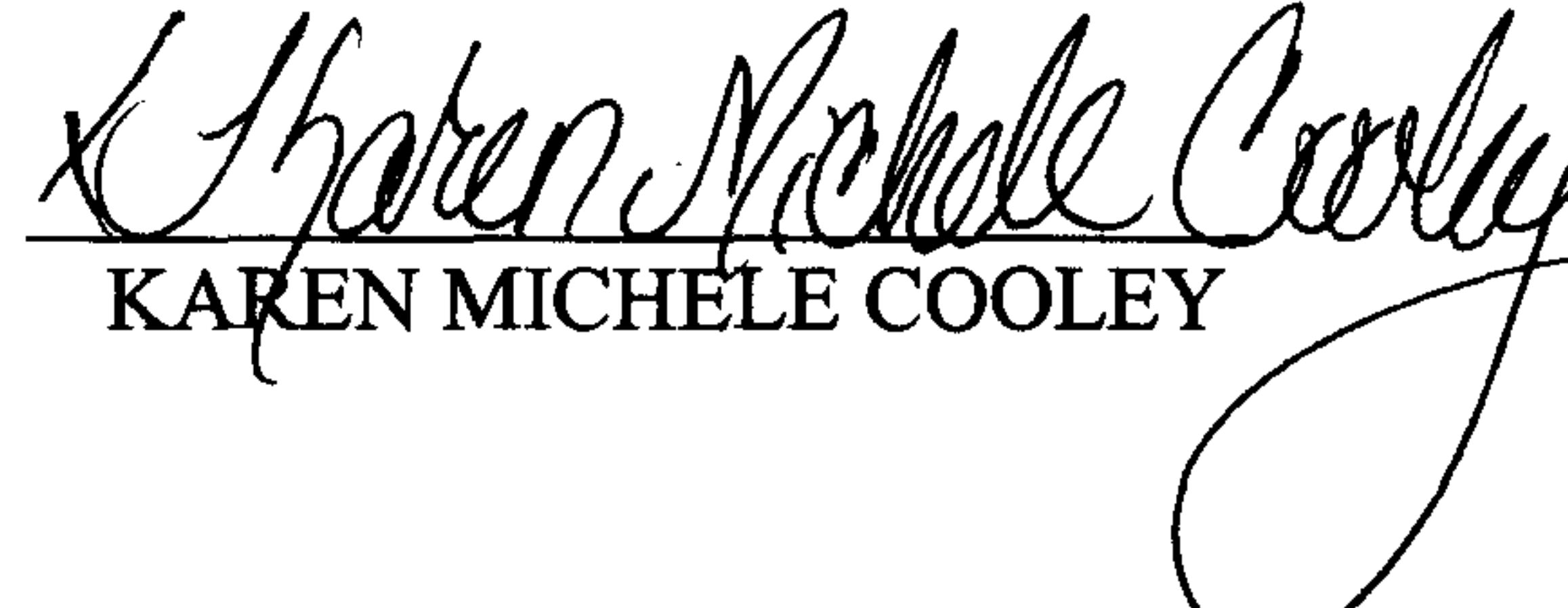
\$116,010.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

TO HAVE AND TO HOLD Unto the said GRANTEEES 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, MICHAEL WAYNE COOLEY, JR. and KAREN MICHELE COOLEY, HUSBAND AND WIFE, have hereunto set his, her or their signature(s) and seal(s), this the 28th day of October, 2004.

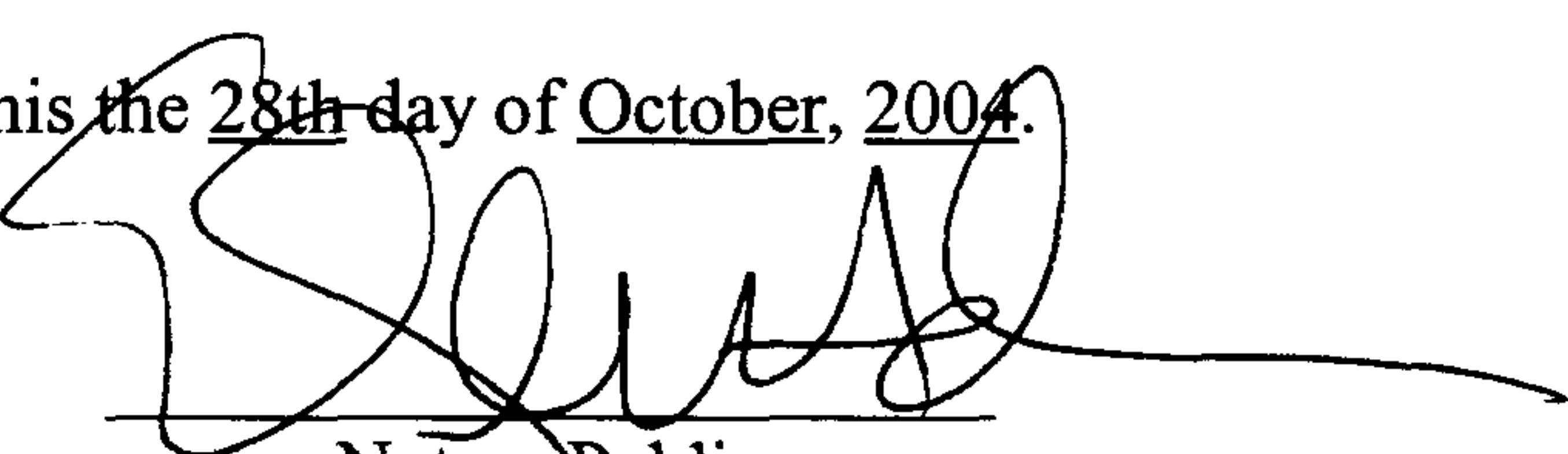

MICHAEL WAYNE COOLEY, JR.

KAREN MICHELE COOLEY

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that MICHAEL WAYNE COOLEY, JR. and KAREN MICHELE COOLEY, 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 28th day of October, 2004.


Notary Public

My commission expires: 10/2/05