

SEND TAX NOTICE TO:

Justin F. Forrester and  
Cynthia F. Gilbert  
173 Park Place Lane  
Alabaster, AL 35007

Prepared by:

✓ Morris J. Princiotta, Jr.  
Attorney at Law  
2100-C Rocky Ridge Road  
Birmingham, Alabama 35216

STATE OF ALABAMA:  
JEFFERSON COUNTY:

**WARRANTY DEED  
JOINT TENANTS WITH RIGHT OF SURVIVORSHIP**

KNOW ALL MEN BY THESE PRESENTS, that in consideration of **ONE HUNDRED AND THIRTEEN THOUSAND, NO/100...(\$113,000.00) Dollars**, to the undersigned grantors in hand paid by the GRANTEES herein, the receipt whereof is acknowledged, I, **DAVID M. MCCLEERY, A Married Man (herein referred to as grantor)**, do grant, bargain, sell and convey unto **JUSTIN F. FORRESTER and CYNTHIA F. GILBERT (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 43, according to the Amended Plat of Park Place Fourth Addition, as recorded in Map Book 18, Page 116, in the Probate Office of SHELBY County, ALABAMA.**

Subject to:

1. Property taxes for 2005 and subsequent years, not yet due and payable.
2. Easement(s), building line(s) and restriction(s) as shown on recorded map.
3. Restrictions and covenants appearing of record in Inst. No. 1994-18321.
4. Right-of-way granted to Alabama Power Company recorded in Inst. No. 1998-17759.
5. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto.


**The above described property is not the homestead property of the grantor or of the grantor's spouse.**

**\$111,224.00 of the purchase price received above was paid from a first purchase money mortgage loan 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 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 do for myself and for my heirs, executors, and administrators covenant with the said GRANTEES, their heirs and assigns, that I am lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that I have a good right to sell and convey the same as aforesaid; that I will and my 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 persons.

IN WITNESS WHEREOF, I have hereunto set my hand and seal, this 30th day of November, 2004.

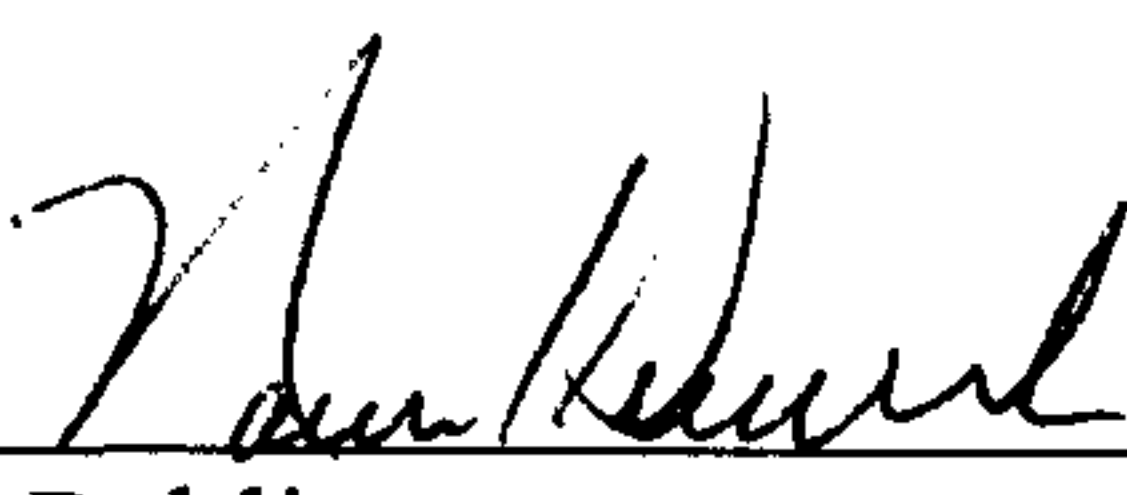
 (Seal)  
DAVID M. MCCLEERY

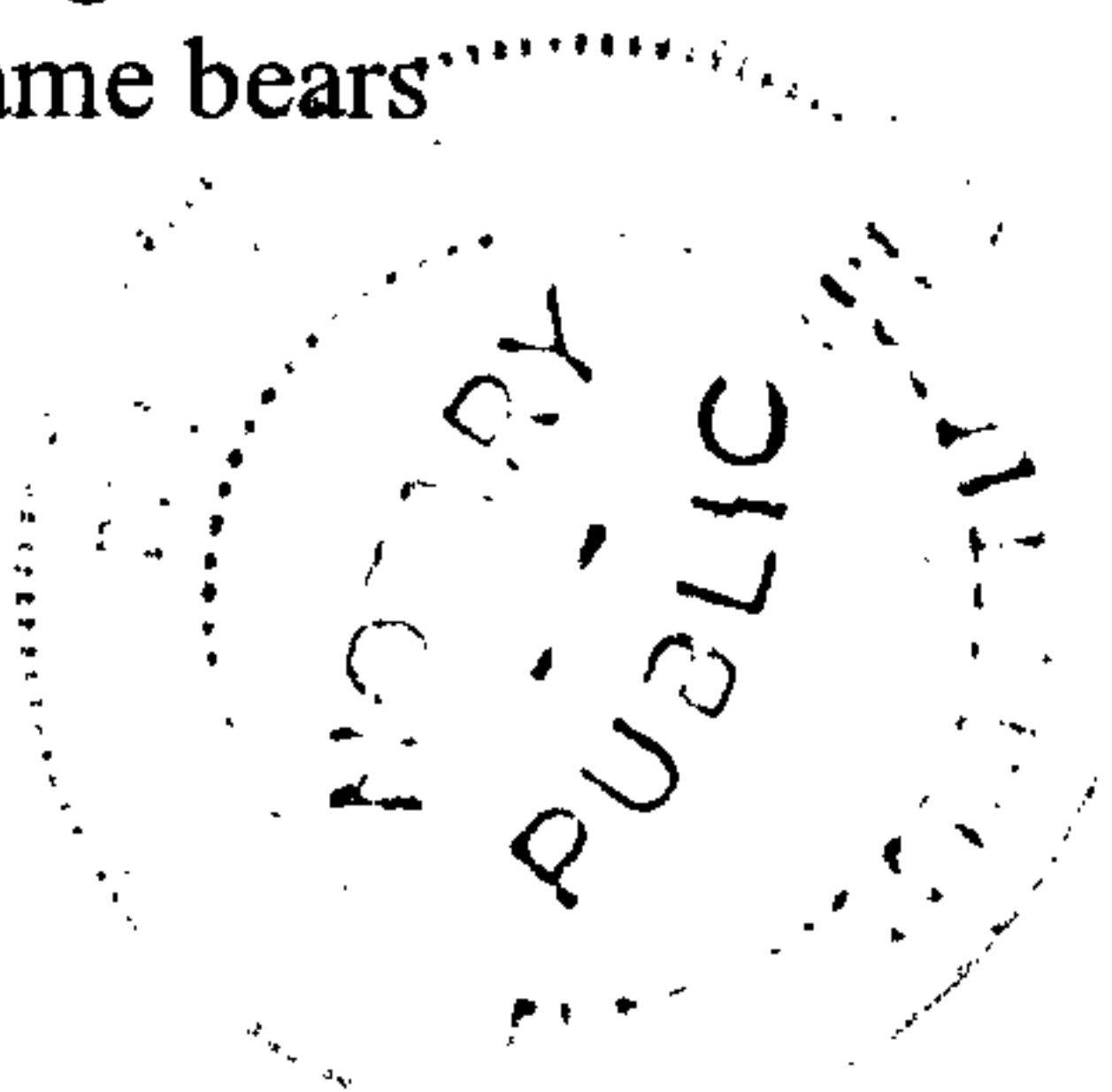
STATE OF ALABAMA:

JEFFERSON COUNTY:

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that **DAVID M. MCCLEERY, A Married Man**, whose name 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 executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 30th day of November, 2004.

  
Notary Public  
My Commission Expires: \_\_\_\_\_

  
NOTARY PUBLIC STATE OF ALABAMA AT LARGE  
MY COMMISSION EXPIRES: Nov 5, 2007  
BONDED THRU NOTARY PUBLIC UNDERWRITERS