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(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was
prepared by:

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SEND TAX NOTICE TO:

ELIUD N. GATHAIRU
908 MCALLISTER DRIVE
CALER, AL 35040

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 THOUSAND FIVE HUNDRED DOLLARS and 00/100 (\$150,500.00) to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, JUDY C. ROBERTSON, AN UNMARRIED PERSON (herein referred to as GRANTORS) do grant, bargain, sell and convey unto ELIUD N. GATHAIRU and MARGARET MACHUA, HUSBAND AND WIFE, (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 259 ACCORDING TO THE SURVEY OF SAVANNAH POINTE SECTOR II PHASE I AS RECORDED IN MAP BOOK 25, PAGE 115 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. 20 FOOT SETBACK LINE FROM MCALLISTER DRIVE AS SHOWN ON RECORDED MAP.
3. VARIABLE EASEMENT ON SOUTH SIDE LOT LINE AS SHOWN ON RECORDED MAP.
4. RESTRICTIONS COVENANTS AND CONDITIONS AS SET OUT IN INSTRUMENT RECORDED IN INSTRUMENT 1999-25577 AND 2000-1702 IN PROBATE OFFICE.
5. RIGHT OF OTHERS TO USE ACCESS EASEMENT AS SET OUT IN DEED BOOK 170, PAGE 169 IN PROBATE OFFICE.
6. RIGHTS TO KEEP A GATE AS RESERVED BY THE GRANTORS AS SET OUT IN DEED BOOK 170, PAGE 169 IN PROBATE OFFICE.

\$135,450.00 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 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, JUDY C. ROBERTSON, AN UNMARRIED PERSON, have hereunto set his, her or their signature(s) and seal(s), this the 17th day of December, 2004.

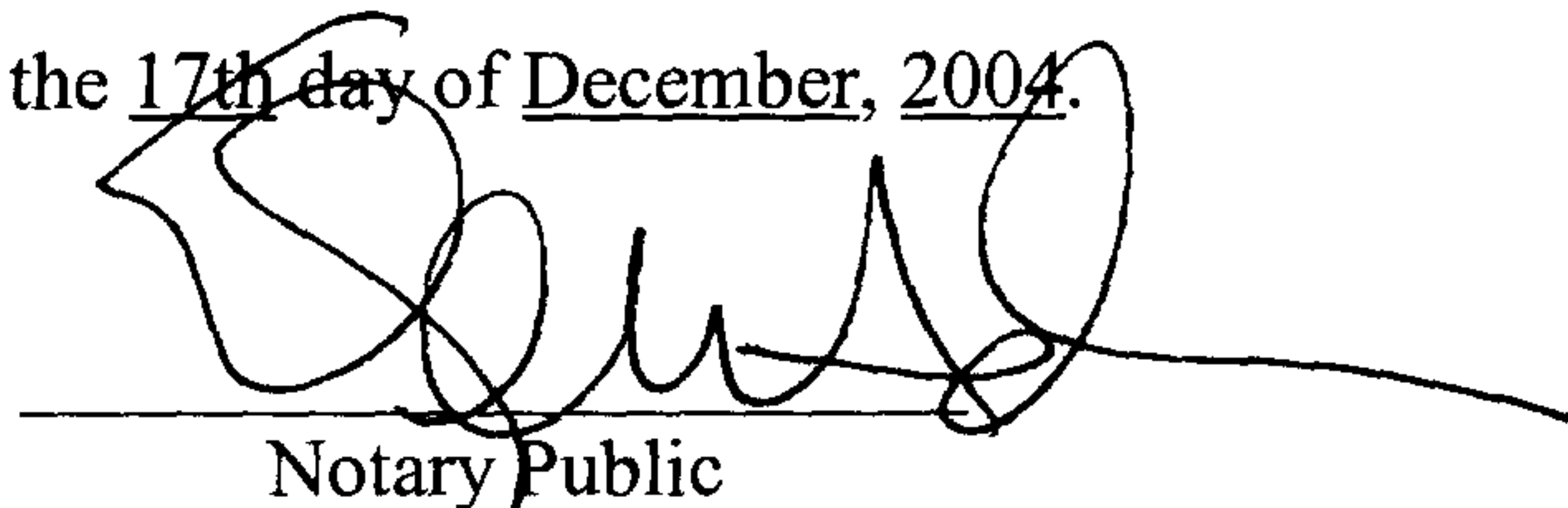

JUDY C. ROBERTSON

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that JUDY C. ROBERTSON, AN UNMARRIED PERSON, 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 17th day of December, 2004.


Notary Public

My commission expires: 10.2.05