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STATE OF ALABAMA)
SHELBY COUNTY)

STATUTORY WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That for and in consideration of NINETY THOUSAND AND NO/100 DOLLARS to the undersigned GRANTOR in hand paid by the GRANTEE herein, the receipt whereof is acknowledged, **ARTHUR HOWARD HOMES, INC., an Alabama Corporation** (GRANTOR) does grant, bargain, sell and convey unto **JON F. HESTER and JEANNA L. HESTER (GRANTEES)** as joint tenants with right of survivorship in and to the following described real estate situated in SHELBY, ALABAMA to wit:

LOT 27, ACCORDING TO THE SURVEY OF FINAL PLAT MOUNTAIN CREST ESTATES AS RECORDED IN MAP BOOK 32, PAGE 76, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

SUBJECT TO:

ADVALOREM TAXES DUE OCTOBER 01, 2004.

MINERALS AND MINING RIGHTS NOT OWNED BY GRANTOR.

RESTRICTIONS AND COVENANTS IN INST#2004/642.

EASEMENTS AND BUILDING LINE AS SHOWN ON RECORD MAP.

RIGHT OF WAY GRANTED ALABAMA POWER COMPANY IN VOLUME 84, PAGE 224, AND INST# 2004-26.

IN KEEPING WITH PARAGRAPH 2 OF THE SALES CONTRACT DATED OCTOBER 22, 2004, GRANTEE CONFIRM THAT SHOULD THEY NOT ENTER INTO AND EXECUTE A CONTRACT FOR THE CONSTRUCTION OF A HOUSE ON SUBJECT PROPERTY WITH ARTHUR HOWARD HOMES, INC. WITHIN SIX (6) MONTHS FROM THE DATE OF THIS DEED, THEY WILL RE-CONVEY THE PROPERTY TO ARTHUR HOWARD HOMES, INC., FREE AND CLEAR OF ALL LIENS AT THE SAME CONTRACT PRICE OF \$90,000.00.

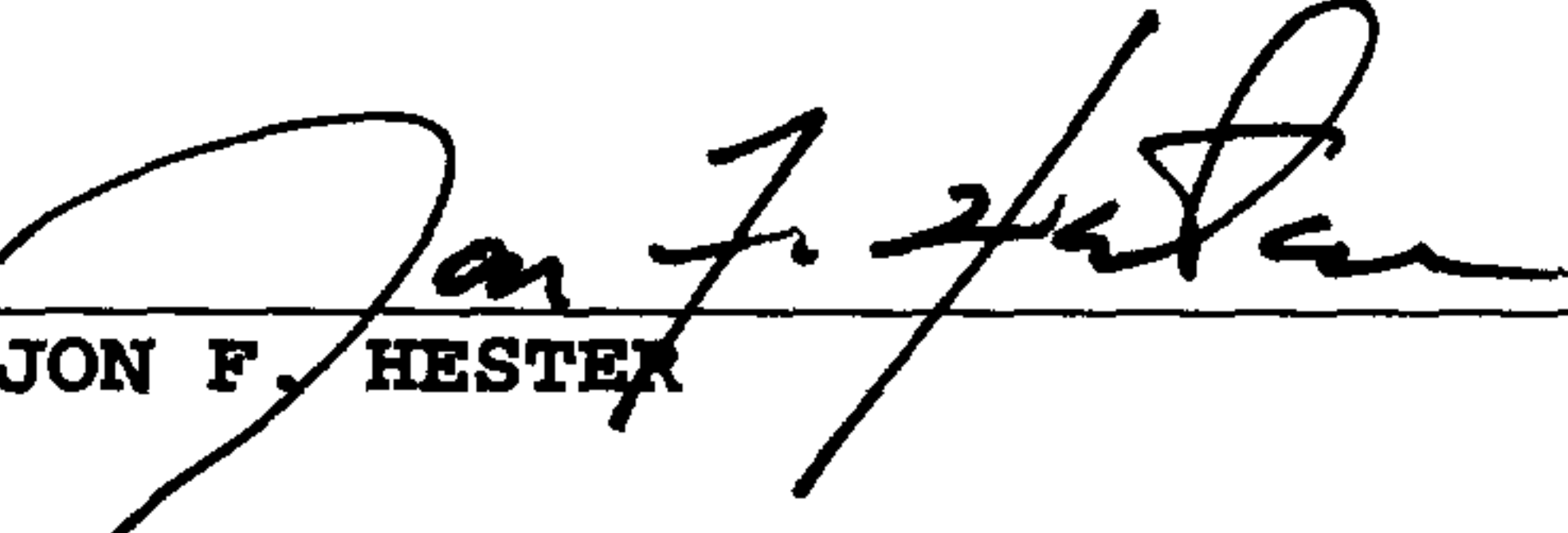
TO HAVE AND TO HOLD unto the said GRANTEE as Joint Tenants with Right of Survivorship, their heirs and assigns forever; it being the intention of the Parties to this conveyance, that (unless the joint tenancy hereby created is severed or terminated during the joint lives of the grantees herein) in the 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, the heirs and assigns of the grantees herein shall take as tenants in common.


IN WITNESS WHEREOF, the said GRANTOR has caused this conveyance to be executed this the 11 day of NOVEMBER, 2004.

ARTHUR HOWARD HOMES, INC.,
an Alabama Corporation


ARTHUR W. HOWARD
ITS PRESIDENT

GRANTEES EXECUTE THIS DEED TO CONFIRM THAT THEY SHALL BE BOUND TO PERFORM AS SET FORTH IN THE RE-CONVEYANCE PROVISION ABOVE.

 **SEAL**
JON F. HESTER

 **SEAL**
JEANNA L. HESTER

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, Gene W. Gray, Jr., a Notary Public, in and for said County in said State, hereby certify that JON F. HESTER and JEANNA L. HESTER, whose names 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 said conveyance, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal of office this 11 day of November, 2004.


Notary Public
Commission Expires: 11/09/06

STATE OF ALABAMA
JEFFERSON COUNTY

I, GENE W. GRAY, JR., a Notary Public in and for said County in said State, hereby certify that ARTHUR W. HOWARD, whose name as President of **ARTHUR HOWARD HOMES, INC., an Alabama Corporation**, is signed to the foregoing instrument and who is personally known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he as such officer and with full

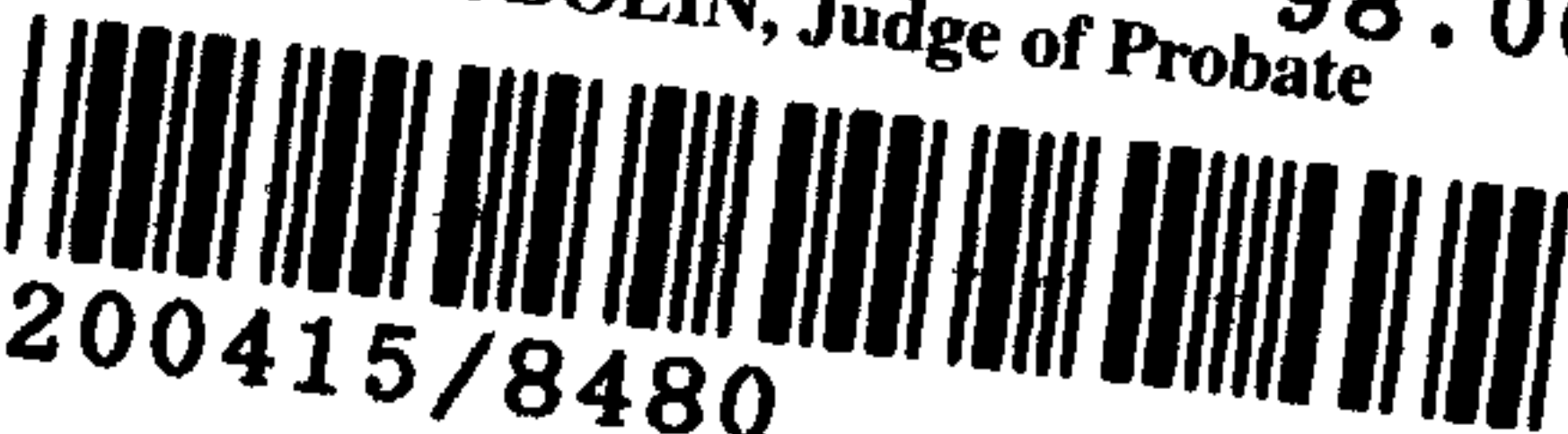
authority, executed the same voluntarily for and as the act of
ARTHUR HOWARD HOMES, INC., an Alabama Corporation.

Given under my hand and seal this 11 day of NOVEMBER, 2004.

Notary Public
Commission Expires: 11/09/06

THIS INSTRUMENT PREPARED BY:
GENE W. GRAY, JR.
2100 SOUTHBRIDGE PARKWAY,
SUITE 638
BIRMINGHAM, AL 35209
205 879 3400

SEND TAX NOTICE TO:
JON F. HESTER
JEANNA L. HESTER
347 WIXFORD TRACE
ALABASTER, AL 35007

State of Alabama - Jefferson County
I certify this instrument filed on:
2004 NOV 24 09:26:52:24AM
Recorded and \$
and \$ **91.00** Mtg. Tax
\$ **7.00** Deed Tax and Fee Amt.
Total \$ **98.00**
MICHAEL F. BOLIN, Judge of Probate

200415/8480