

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was
prepared by:

SEND TAX NOTICE TO:

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

ROBERT MCDONALD
PEGGY MCDONALD
4000 OLD CAHABA PARKWAY
HELENA, ALABAMA 35080

STATE OF ALABAMA)

COUNTY OF SHELBY)

JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

STATUTORY WARRANTY DEED

Know All Men by These Presents: That in consideration of ONE HUNDRED SEVENTY FIVE THOUSAND FOUR HUNDRED DOLLARS and 00/100 (\$175,400.00) DOLLARS to the undersigned grantor, AMERICAN HOMES AND LAND CORPORATION, in hand paid by the GRANTEES herein, the receipt of which is hereby acknowledged, the said GRANTOR, does by these presents, grant, bargain, sell and convey unto ROBERT MCDONALD AND PEGGY MCDONALD, (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 1301, according to the Survey of Old Cahaba, Phase IV, as recorded in Map Book 33 at Page 80 in the Office of the Judge of Probate of Shelby County, Alabama.

SUBJECT TO:

1. TAXES FOR THE YEAR BEGINNING OCTOBER 1, 2004 WHICH CONSTITUTES A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 2005.
2. SUBJECT TO MATTERS SHOWN ON RECORDED MAP BOOK 33 PAGE 80.
3. TITLE TO THAT PORTION OF INSURED PREMISES LYING BELOW THE MEAN HIGH WATER MARK OF CAHABA RIVER.
4. RIPARIAN AND LITTORAL RIGHTS INCIDENT TO INSURED PREMISES.
5. RIGHTS OF THIRD PARTIES, INCLUDING THE PUBLIC AT LARGE WITH RESPECT TO ANY PORTION OF THE PROPERTY LOCATED IN A PUBLIC RIGHT OF WAY IF ANY.
6. TITLE TO ALL MINERALS, OIL AND GAS WITHIN AND UNDERLYING THE PREMISES, TOGETHER WITH ALL MINING RIGHTS AND OTHER RIGHTS, PRIVILEGES AND IMMUNITIES RELATING THERETO, AS RESERVED IN BOOK 15 AT PAGE 415, BOOK 61 AT PAGE 164, REAL VOLUMES 133 AT PAGE 277 AND REAL VOLUME 321 AT PAGE 629.
7. RESTRICTIONS APPEARING OF RECORD IN INST NO. 20040610000313070.

\$157,860.00 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.

IN WITNESS WHEREOF, the said GEORGE M. VAUGHN AS CLOSING AGENT OF AMERICAN HOMES AND LAND CORPORATION, has hereunto subscribed her name on this the 20th day of January, 2005.

AMERICAN HOMES AND LAND CORPORATION



GEORGE M. VAUGHN, CLOSING AGENT

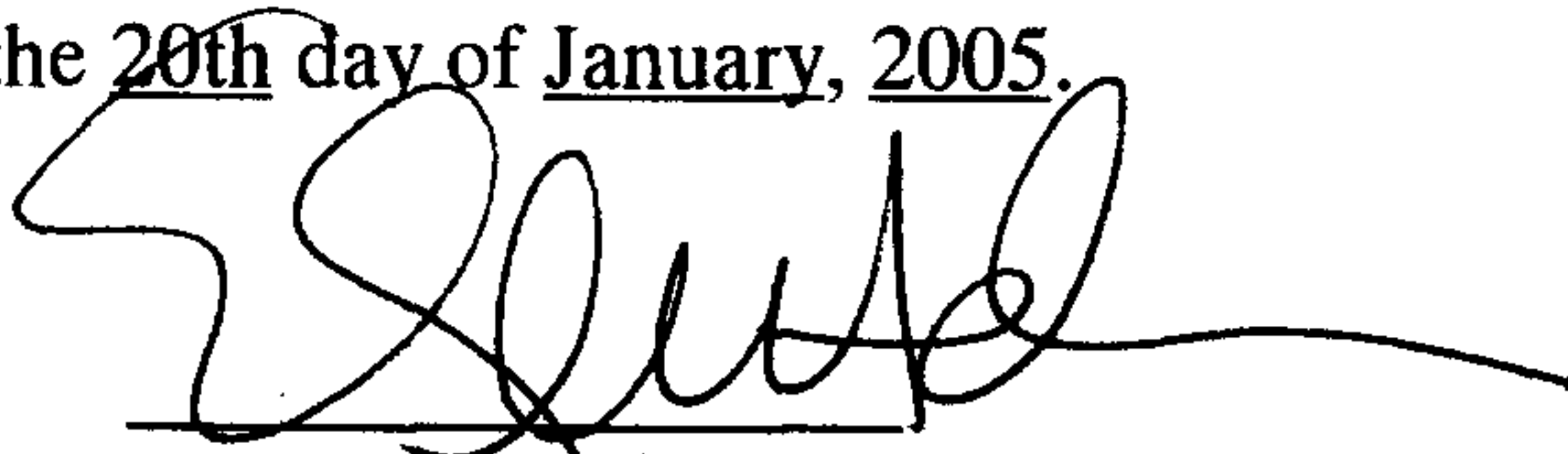
STATE OF ALABAMA)
COUNTY OF SHELBY)

20050301000094550 Pg 2/2 31.50
Shelby Cnty Judge of Probate, AL
03/01/2005 08:30:00 FILED/CERTIFIED

ACKNOWLEDGMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that GEORGE M. VAUGHN, whose name as CLOSING AGENT of AMERICAN HOMES AND LAND CORPORATION, an Alabama Limited Liability Company, 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 or she, as such officer and with full authority, executed the same voluntarily for and as the act of said limited liability company.

Given under my hand this the 20th day of January, 2005.



Notary Public

My commission expires: 10.2.05