This instrument was prepared by: Patrick F. Smith Dominick, Fletcher, Yeilding, Wood & Lloyd, P.A. 2121 Highland Avenue South Birmingham, Alabama 35223

SEND TAX NO 20050504000213080 1/1 \$56.00 Shelby Cnty Judge of Probate, AL 05/04/2005 10:54:09AM FILED/CERT Michael R. Mille Alexandra W. Mi 2711 Stevens Creek Road Hoover, AL 35244

WARRANTY DEED

Shelby County, AL 05/04/2005 State of Alabama

Deed Tax: \$45.00

STATE OF ALABAMA

SHELBY COUNTY

KNOW ALL MEN BY THESE PRESENTS,

That in consideration of the sum of Two Hundred Twenty-Five Thousand and 00/100 (\$225,000.00) paid by the grantee herein, the receipt of which is hereby acknowledged, I/we, Charles Mercer, by and through Amy Mercer, his attorney in fact, and Amy Mercer, husband and wife (hereinafter grantor, whether one or more), do grant, bargain, sell and convey unto Alexandra W. Miller and Michael R. Miller, as joint tenants with rights of survivorship (hereinafter Grantees), all of my/our right, title and interest in the following described real estate, situated in SHELBY COUNTY, ALABAMA:

Lot 22, according to the Survey of Brookhaven, Sector 2, as recorded in Map Book 11, Page 4, in the Probate Office of Shelby County, Alabama

Subject to current taxes, all matters of public record, including, but not limited to easements, restrictions of record, and other matters which may be viewed by observation.

\$180,000.00 of the consideration recited herein is from the proceeds of a purchase money mortgage of even date herewith.

TO HAVE AND TO HOLD unto the said Grantees as joint tenants, with rights of survivorship, their heirs and assigns, forever; it being the intention of the parties to this conveyance that (unless the joint tenancy 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.

Grantor does, for Grantor and for Grantor's heirs, executors and administrators covenant with the said Grantees as joint tenants, with rights of survivorship, their heirs executors and administrators, that Grantor is lawfully seized in fee simple of said premises; that it is free from all encumbrances, unless otherwise noted above; that Grantor has a good right to sell and convey the same as aforesaid; that Grantor will and Grantor's heirs, executors and administrators shall warrant and defend the same to the said Grantees, and their heirs, executors and administrators forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the undersigned have hereunto set our hands and seals on April 28th, Les Mercer by and Harough Amy Mercer, his Tercer by and through Charles Mercer by and through Oull reef in Jaci Amy Mercer, his attorney in fact Amy Mercer STATE OF ALABAMA JEFFERSON COUNTY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Amy Mercer, as attorney in fact for Charles Mercer and Amy Mercer, individually, 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/they executed the same voluntarily on the day the same bears date.

Notary Public Commission Expires: 10/06/2005

wen under my hand and official seal on A

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