

Send tax notice to: Richard V. Zaro 169 Glen Abbey Way Alabaster, Alabama 35007

This instrument prepared by:
James R. Moncus, Jr., LLC
Attorney at Law
1313 Alford Avenue
Birmingham, AL 35226

STATE OF ALABAMA SHELBY COUNTY

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of One Hundred Ninety Two Thousand Five Hundred and no/100 Dollars (\$192,500.00), in hand paid to the undersigned, Kerry R. Nivens and wife, Gloria J. Nivens, (hereinafter referred to as the "Grantor") by Richard V. Zaro, (hereinafter referred to as the "Grantee"), the receipt and sufficiency of which is hereby acknowledged, the Grantor does, by these presents, grant, bargain, sell, and convey unto the Grantee, the following described real estate situated in Shelby County, Alabama, to-wit:

Lot 71, according to the Survey of Weatherly Glen Abbey, Sector 12, Phase 3, as recorded in Map Book 19, Page 156, in the Probate Office of Shelby County, Alabama, being situated in Shelby County, Alabama.

SUBJECT TO:

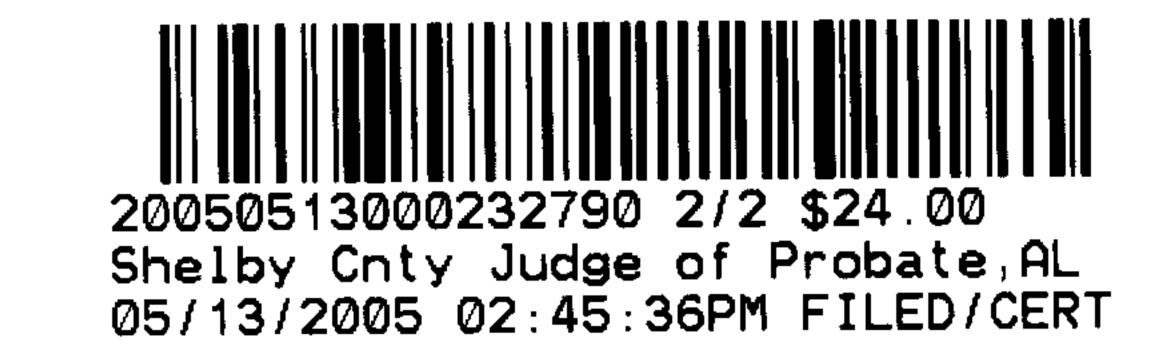
- 1. Ad valorem taxes due and payable October 1, 2005.
- 2. All restrictions, easements, Rights of parties in possession, encroachments, liens for services, labor, or materials, taxes or special assessments, building lines.
- 3. Easements, Encroachments, rights of ways, building set back lines, as shown on recorded plat.

\$182,875.00 of the purchase price was paid from a mortgage loan closed simultaneously with delivery of this deed.

And I(we) do for myself (ourselves), and for my (our) heirs, executors, and administrators covenant with the Grantees, their heirs, executors, administrators and assigns, that I am (we are) lawfully seized in fee simple of said premises, that they are free from all encumbrances except as aforesaid, that I (we) have good right to sell and convey the same as aforesaid, and that I (we) will, and my (our) successors and assigns shall warrant and defend the same to the Grantees, their heirs, executors, administrators and assigns, forever, against the lawful claims of all persons.

Shelby County, AL 05/13/2005 State of Alabama

Deed Tax:\$10.00



IN WITNESS WHEREOF, I have hereunto set my hand and seal on this the 29th day of

April, 2005.

Cerry R. Nivens

Gloria J. Nivens

STATE OF ALABAMA JEFFERSON COUNTY

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Kerry R. Nivens and wife, Gloria J. Nivens, whose names are signed to the foregoing instrument and who are known to me, acknowledged before me on this day that, being informed of the contents of the instrument, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 29th day of April, 2005.

Notary Public

[NOTARIAL SEAL]

My Commission expires: 2-23-08