

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was prepared by:

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5 Riverchase Ridge, Suite 100
Birmingham, Alabama 35244

STATE OF ALABAMA)

COUNTY OF SHELBY)

SEND TAX NOTICE TO:

MATTHEW M. HAVARD 521 OAK GLEN TRACE BIRMINGHAM, AL 35244

JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

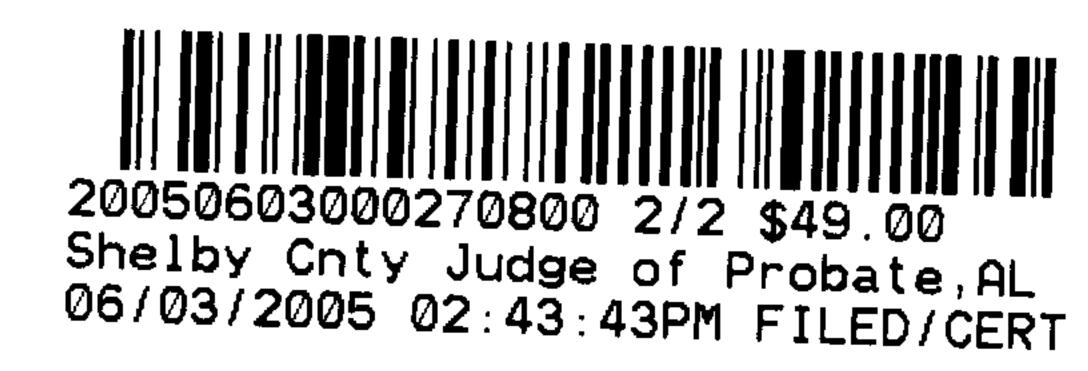
WARRANTY DEED

Know All Men by These Presents: That in consideration of TWO HUNDRED THIRTY ONE THOUSAND FIVE HUNDRED DOLLARS and 00/100 (\$231,500.00) to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, ROBERT A. COLE and JENNIFER L. COLE, HUSBAND AND WIFE (herein referred to as GRANTORS) do grant, bargain, sell and convey unto MATTHEW M. HAVARD and LISA A. HAVARD, 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 18, according to the Survey of Oak Glen, Second Sector, as recorded in Map Book 9, Page 154, in the Probate Office of Shelby County, Alabama.

SUBJECT TO:

- 1. TAXES FOR THE YEAR BEGINNING OCTOBER 1, 2004 WHICH CONSTITUTES A LIEN BUT ARE NOT DUE AND PAYABLE UNTIL OCTOBER 1, 2005.
- 2. 10 FOOT EASEMENT OVER REAR AND SOUTH LOT LINES PER PLAT.
- 3. 7.5 FOOT PUBLIC UTILITIES, SANITARY SEWERS, STORM SEWERS, STORM DITCHES ALONG NORTH LOT LINE AS PER PLAT.
- 4. BUILDING AND SETBACK LINES OF 20 FEET AS RECORDED IN MAP BOOK 9 PAGE 154.
- 5. SUBJECT TO COVENANTS, CONDITIONS AND RESTRICTIONS (DELETING THEREFROM, AND RESTRICTIONS INDICATING ANY PREFERENCE, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILY STATUS OR NATIONAL ORIGIN) AS SET FORTH IN THE DOCUMENT RECORDED IN REAL BOOK 66, PAGE 807.
- 6. TITLE TO ALL OIL, GAS AND MINERALS WITHIN AND UNDERLYING THE PREMISES, TOGETHER WITH ALL OIL AND MINING RIGHTS AND OTHER RIGHTS, PRIVILEGES AND IMMUNITIES RELATING THERETO, TOGETHER WITH ANY RELEASE OF LIABILITY FOR INJURY OR DAMAGE TO PERSONS OR PROPERTY AS A RESULT OF THE EXERCISE OF SUCH RIGHTS AS RECORDED IN DEED BOOK 4, PAGE 379.
- 7. AGREEMENT WITH ALABAMA POWER COMPANY AS RECORDED IN REAL BOOK 69, PAGE 451.



- 8. EASEMENT AS TO UNDERGROUND CABLES AS RECORDED IN REAL BOOK 69, PAGE 454.
- 9. TRANSMISSION LINE PERMIT TO ALABAMA POWER COMPANY AS RECORDED IN REAL BOOK 75, PAGE 599.
- 10. ORDINANCE INCORPORATING SUBJECT PROPERTY INTO THE CITY OF HOOVER AS RECORDED IN REAL BOOK 83, PAGE 603.
- 11. RIGHT OF WAY TO ALABAMA POWER COMPANY AS RECORDED IN DEED BOOK 102, PAGE 53.

\$196,775.00 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, ROBERT A. COLE and JENNIFER L. COLE, HUSBAND AND WIFE, have hereunto set his, her or their signature(s) and seal(s), this the 23rd day of May, 2005.

Shelby County, AL 06/03/2005 State of Alabama

Deed Tax: \$35.00

ROBERT A. COLE

ENNIEED I COLE

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that ROBERT A. COLE and JENNIFER L. COLE, HUSBAND AND WIFE, 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 23rd day of May, 2005.

Notary Public

My commission expires: 7/16/5/

