

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was prepared by:

Jon M. Turner, Jr.
TURNER & ASSOCIATES, LLC
Attorneys at Law
2101 Highland Avenue, Suite 200
Birmingham, Alabama 35205

SEND TAX NOTICE TO:

STEPHEN W. RICE
2186 BANE BERRY DRIVE
BIRMINGHAM, ALABAMA 35244

STATE OF ALABAMA)
COUNTY OF **SHELBY**)

WARRANTY DEED
JOINTLY WITH RIGHT OF SURVIVORSHIP

Know All Men by These Presents: That in consideration of **THREE HUNDRED THIRTY THREE THOUSAND AND NO/100 (\$333,000.00) DOLLARS** to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, I (we), **MARK A. SMITH AND JULIE A. SMITH, HUSBAND AND WIFE** (herein referred to as GRANTOR) do grant, bargain, sell and convey unto **STEPHEN W. RICE AND JEANNIE W. RICE** (herein referred to as GRANTEES, whether one or more) the following described real estate, situated in **SHELBY** County, Alabama, to-wit:

LOT 2422, ACCORDING TO THE SURVEY OF RIVERCHASE COUNTRY CLUB 24TH ADDITION, AS RECORDED IN MAP BOOK 10, PAGE 64, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

SUBJECT TO:

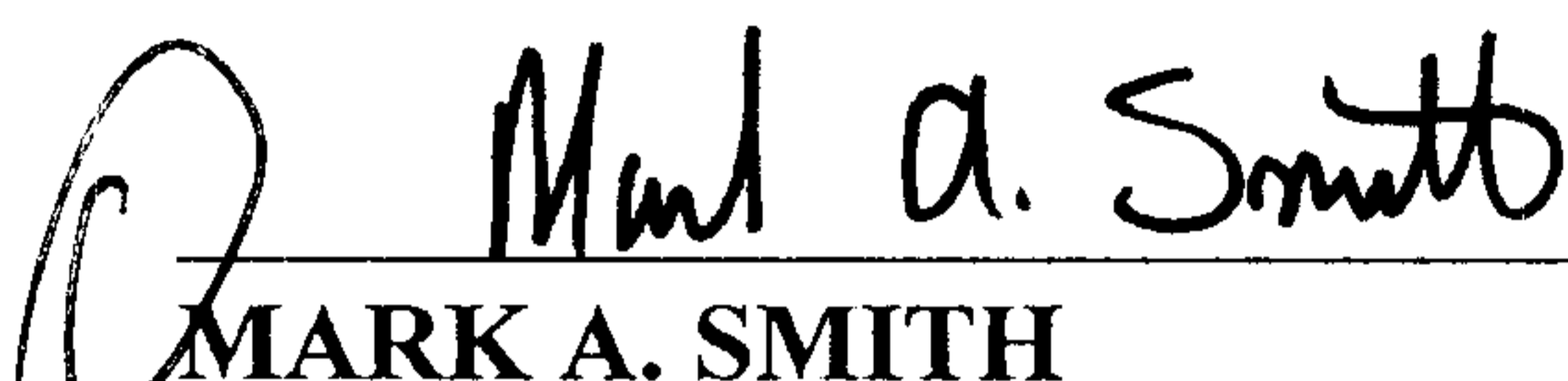
1. Subject to the taxes for the year beginning October 1, 2004, which constitutes a lien, but are not yet due and payable until October 1, 2005.
2. Restrictions appearing of record in Book 14, Page 536 and amended in Book 17, Page 550 and Book 34, Page 549.
3. Restrictive Covenants with Alabama Power Company as recorded in Book 126, Page 553.
4. Restrictions appearing of record in Book 126, Page 553.
5. Agreement for Underground Residential Distribution with Alabama Power Company as recorded in Book 130, Page 585.
6. Right of way granted to Alabama Power Company recorded in Book 133, Page 616.
7. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto, including release of damages, as recorded in Book 127, Page 140.
8. 35 foot building line as shown on recorded map.
9. 10 foot easement as shown on recorded map.
10. Sinkholes, limestone formulations, soil conditions or any other known or unknown surface or subsurface conditions that may now or hereafter exist or occur or cause damage to subject property.

\$299,665.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

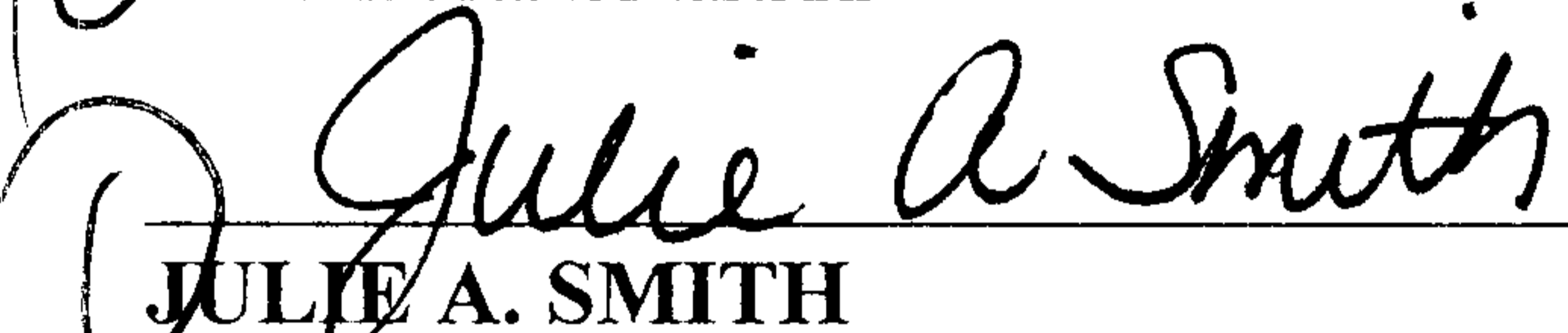
TO HAVE AND TO HOLD Unto the said GRANTEES as joint tenants, with right of survivorship, their heirs and assigns, forever; it being the intention of the parties to this conveyance, that (unless the joint tenancy hereby created is severed or terminated during the joint lives of the grantees herein) in 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 GRANTOR, **MARK A. SMITH AND JULIE A. SMITH, HUSBAND AND WIFE, HUSBAND AND WIFE** has hereunto set his signature and seal, this the **16TH** day of **JUNE, 2005**.



MARK A. SMITH



JULIE A. SMITH

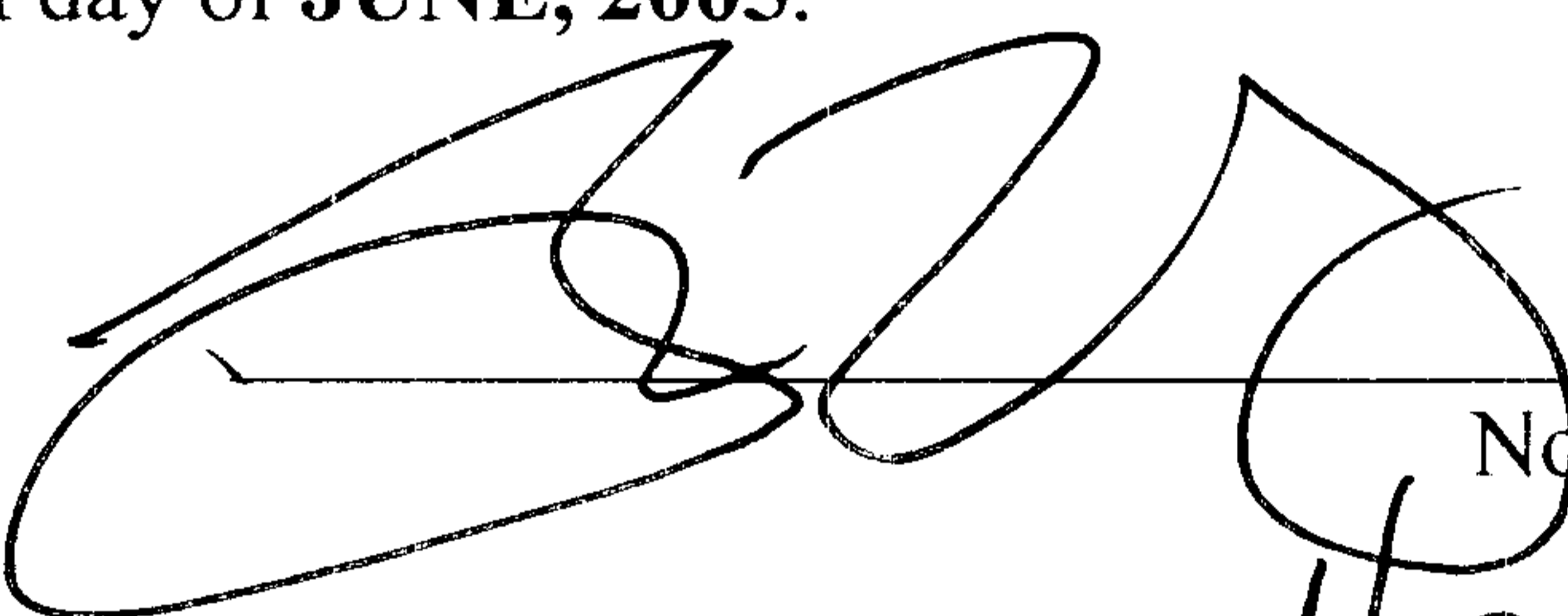

20050621000308130 2/2 \$47.50
Shelby Cnty Judge of Probate, AL
06/21/2005 11:25:44AM FILED/CERT

STATE OF ALABAMA)

COUNTY OF JEFFERSON)

I, the undersigned, a Notary Public, in and for said County, hereby certify that **MARK A. SMITH AND JULIE A. SMITH, HUSBAND AND WIFE, HUSBAND AND WIFE**, 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 the conveyance they executed the same voluntarily on the day the same bears date.

Given under my hand and seal on this the **16TH** day of **JUNE, 2005**.



Notary Public
My Commission Expires: 04/23/08

Shelby County, AL 06/21/2005
State of Alabama
Deed Tax: \$33.50