

STATE OF ALABAMA)

SHELBY COUNTY) \$222,000

SURVIVORSHIP DEED

KNOW ALL MEN BY THESE PRESENTS, That in consideration of TEN DOLLARS AND OTHER VALUABLE CONSIDERATIONS to the undersigned grantors in hand paid by the grantees herein, the receipt whereof is acknowledged, we, DAVID M. CAPPELLA and wife, SHERI A. CAPPELLA, (herein referred to as grantors) do grant, bargain, sell and convey unto DAVID M. CAPPELLA and wife, SHERI A. CAPPELLA, (herein referred to as grantees) for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, together with every contingent remainder and right of reversion, the following described real estate situated in Shelby County, Alabama, to-wit:

Lot 2709, according to the Survey of Weatherly Highland Club Drive, Section 27, as recorded in Map Book 27, Page 98, in the Probate Office of Shelby County, Alabama.

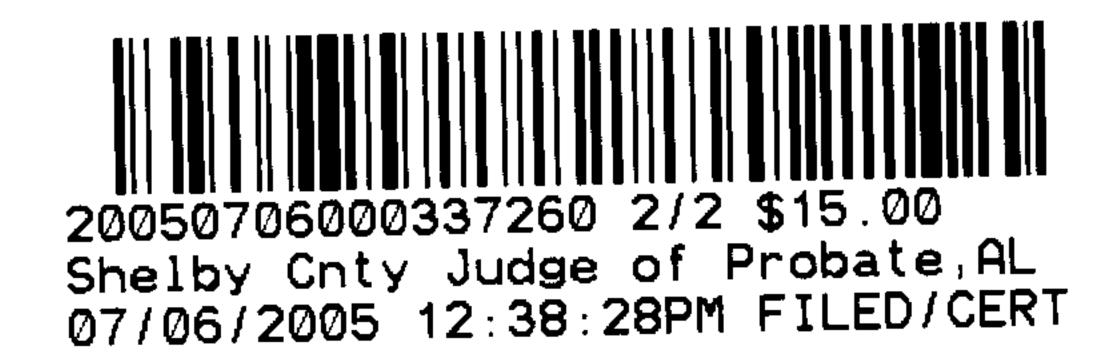
This conveyance is made subject to any and all easements, restrictions and rights of way which appear of record and affect the above described property.

For ad valorem tax appraisal purposes only the address of the property is 433 Weatherly Club Drive, Pelham, AL 35124, which is the address of the Grantees.

THIS DEED MADE WITHOUT BENEFIT OF TITLE EXAMINATION UNLESS A SEPARATE WRITTEN OPINION IS RENDERED AND A SEPARATE CHARGE MADE FOR SUCH EXAMINATION. DESCRIPTION FURNISHED BY GRANTORS. NO WARRANTY IS MADE BY THE DRAFTSMAN AS TO THE QUANTITY OF GROUND OR THE CORRECTNESS OF THE DESCRIPTION.

TO HAVE AND TO HOLD, to the said grantees for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, and to the heirs and assigns of such survivor forever, together with every contingent remainder and right of reversion.

And we do, for ourselves and for our heirs, executors and administrators



covenant with the said grantees, their heirs and assigns, that we are lawfully seized in fee simple of said premises; that they are free from all encumbrances; that we have a good right to sell and convey the same as aforesaid; that we will and our heirs, executors and administrators shall warrant and defend the same to the said grantees, their heirs and assigns, forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this day of august, 2004.

DAVID M. CAPPELLA

SHERIA. CAPPELLA

STATE OF Malana)

Jaloy COUNTY)

I, the undersigned, a Notary Public in and for said County and State, hereby certify that DAVID M. CAPPELLA and wife, SHERI A. CAPPELLA, 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 said conveyance, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 19th day of lugust, 2004.

NOTARY PUBLIC

My Emmission 25/2008

Property Address: 433 Weatherly Club Drive Pelham, AL 35124

THIS INSTRUMENT PREPARED BY: McDOWELL & BEASON, P.C. ATTORNEYS AT LAW P. O. BOX 818 RUSSELLVILLE, AL 35653 (256) 332-1660