Shelby County, AL 11/08/2005
State of Alabama

Deed Tax:$168.00

WARRANTY DEED

20051108000579460 1/1 $179.00
Shelby Cnty Judge of Probate,AL
11/08/2005 10:30:13AM FILED/CERT

This Instrument Was Prepared By:

Frank K. Bynum, Esquire
#17 Office Park Circle
Birmingham, Alabama 35223

SEND TAX NOTICE TO:

Charles B. Carlton
400 Miller Circle
Indian Springs, AL 35124

STATE OF ALABAMA)

KNOW ALL MEN BY THESE PRESENTS,

COUNTY OF SHELBY)

That in consideration of Six hundred ninety six thousand and no/100 dollars ($696,000.00), to the undersigned Grantor in hand paid by the Grantees herein, the receipt of which is hereby acknowledged, **Heatherbrooke Construction Company, Inc.**, a corporation, (herein referred to as Grantor) does grant, bargain, sell and convey unto **Charles B. Carlton and Kelly L. Carlton** (herein referred to as Grantees), as joint tenants, with right of survivorship, the following described real estate, situated in the State of Alabama, County of Shelby, to-wit:

Lot 2, according to the Survey of Carlton's Addition to Miller Circle, as recorded in Map Book 33 page 68, in the Office of the Judge of Probate of Shelby County, Alabama.

Subject to existing easements, restrictions, set back lines, right of ways, limitations, if any, of record.

$528,000.00 of the purchase price recited above was paid from a mortgage loan 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 it does for itself, its successors and assigns covenant with said Grantees, their heirs and assigns, that it is lawfully seized in fee simple of said premises, that they are free from all encumbrances, unless otherwise noted above; that it has a good right to sell and convey the same as aforesaid; that its successors and assigns shall, warrant and defend the same to the said Grantees, their heirs, and assigned forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, Heatherbrooke Construction Company, Inc., the said Grantor, by Robert O. Lucas, II, its President who is authorized to execute this conveyance, has hereto set its signature and seal, this 26th day of October, 2005.

Heatherbrook Construction Company, Inc.

By:_____
Robert O. Lucas, II
its: President

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Robert O. Lucas, II, whose name as President of Heatherbrook Construction Company, Inc., a corporation, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he, in his capacity as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal, this the 26th day of October, 2005.

Notary Public

My Commission Expires: 11/20/2008