After Recording Return To:

Dewrell Sacks, LLP 135 MORTH PARK PLACE STE 230 STOCKBRIDGE, GA 30281

File No.: 0510A4794ALA

Prepared By and Return to:

PHYLLIS WHEAT

20051205000627650 1/1 \$15.00 Shelby Cnty Judge of Probate, AL 12/05/2005 12:14:48PM FILED/CERT

Shelby County, AL 12/05/2005 State of Alabama

Deed Tax: \$4.00

Dewrell Sacks, LLP 5 Concourse Parkway Suite 3100 Atlanta, Georgia 30328 The Moragage amount is 68,305.00 and is being applied to the Deed recorded simultaneously. Value of property is 71,900 dollars.

WARRANTY DEED

STATE OF ALABAMA COUNTY OF SHELBY

THIS INDENTURE, made this 31st day of October, 2005, between

ROME REX SIMMONS, AN UNMARRIED MAN

of the County of SHELBY, and the State of Alabama, as party or parties of the first part, hereinafter called Grantor, and

JOSEPH A. ELLIOTT

as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee,

THE FOLLOWING DESCRIBED REAL ESTATE, SITUATE IN SHELBY COUNTY, ALABAMA, TO-WIT:

LOT 9, AND THE EAST 5 FEET OF LOT 8, ACCORDING TO THE SURVEY OF CAHABA MANOR TOWNHOMES, AS RECORDED IN MAP BOOK 7 PAGE 57 IN THE PROBETE OFFICE OF SHELBY COUNTY, ALABAMA.

SUBJECT TO: 5 FOOT EASEMENT REAR AS SHOWN BY RECORDED MAP. RESTRICTIONS RECORDED IN MISC. VOLUME 25, PAGE 396 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

RIGHT OF WAY TO PELHAM SEWER FUND RECORDED IN MISC. VOLUME 25 PAGE 393 AND VOLUME 312 PAGE 560 IN SAID PROBATE OFFICE OF SHELBY COUNTY, ALABAMA. RIGHT OF WAY TO ALABAMA POWER COMPANY RECORDED IN VOLUME 108 PAGE 379 AND PROBATE MINUTES 28 PAGE 965 IN SAID OFFICE OF SHELBY COUNTY, ALABAMA. COAL, OIL GAS AND OTHER MINERAL INTREST IN, TO OR UNDER THE LAND HEREIN DESCRIBED ARE NOT INSURED.

THIS BEING THE SAME PROPERTY CONVEYED TO ROME REX SIMMONS FROM CHERYL J. FIKES AND BILLIE J. ROBY IN DEED BOOK 90, PAGE 455, DATED 09/02/86 AND FILED FOR RECORD ON 09/15/86, SHELBY COUNTY, AL.

SUBJECT to restrictive covenants and general utility easements of record.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in Fee Simple.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the day and year above written.

ROME REX SIMMONS, AN UNMARRIED MAN

Rome Den Summir

My Commission Expires:

(SEAL) 12.02.2005