

This instrument prepared by:  
R. Timothy Estes  
Estes, Sanders & Williams, LLC  
3800 Colonnade Parkway, Suite 330  
Birmingham, Alabama 35243

Send Tax Notice To:  
Christian D MacNicol  
Tonya B MacNicol  
165 Sunset Lake Drive  
Chelsea, Alabama 35043

**WARRANTY DEED**  
**Joint Tenants With Right of Survivorship**

STATE OF ALABAMA }  
COUNTY OF SHELBY }

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of the sum of **Two Hundred Fifty-One Thousand Nine Hundred and 00/100 Dollars (\$251,900.00)** to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt whereof is hereby acknowledged, I/we,

**Brian D. Deadwyler and Sarah J. Deadwyler, husband and wife,**

(herein referred to as GRANTORS) do grant, bargain, sell and convey unto

**Christian D MacNicol and Tonya B MacNicol**

(herein referred to as GRANTEES) as joint tenants with right of survivorship, the following described real estate situated in Shelby County, Alabama, to-wit:

**Lot 44, according to the Final Plat of Sunset Lake, Phase 2, as recorded in Map Book in Map Book 31, Page 73, in the Probate Office of Shelby County, Alabama.**

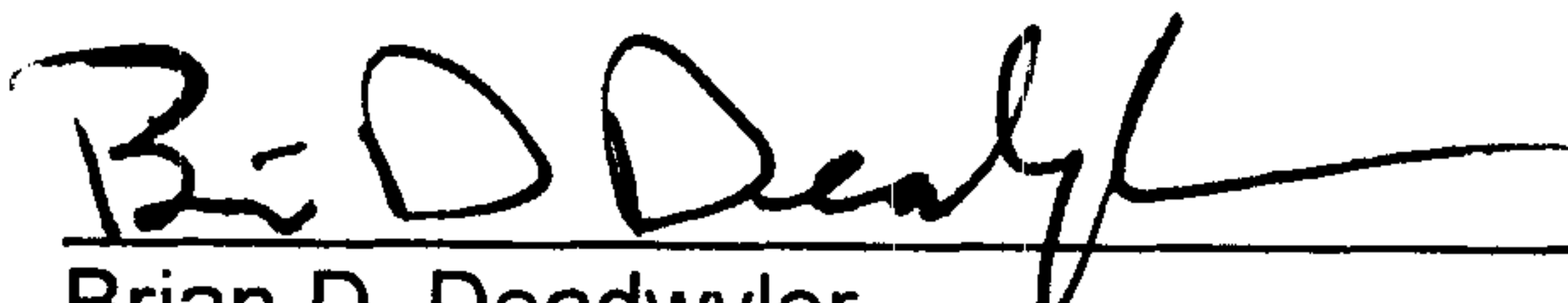
- Subject to:
- (1) 2006 ad valorem taxes not yet due and payable;
  - (2) all mineral mining rights not owned by the Grantors; and
  - (3) all easements, rights-of-way, restrictions covenants and encumbrances of record.

**\$225,000.00** of the consideration 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 I (we) do for myself (ourselves) and for my (our) heirs, executors, and administrators covenant with the said GRANTEES, 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, their heirs and assigns forever, against the lawful claims of all persons.

**IN WITNESS WHEREOF**, I/we have set our/my hand(s) and seal(s), this 20th day of December, 2005.

  
\_\_\_\_\_  
Brian D. Deadwyler

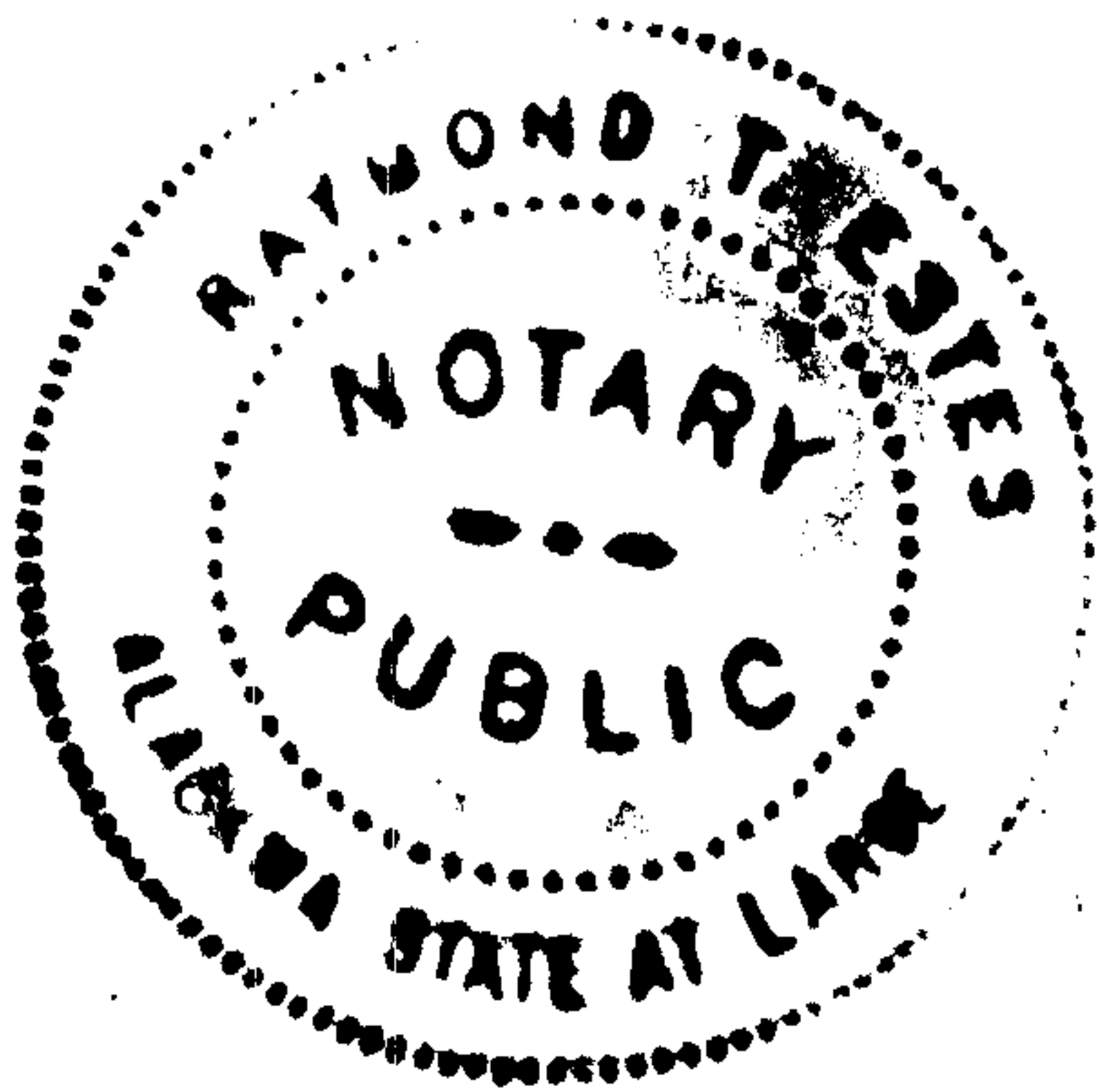
  
\_\_\_\_\_  
Sarah J. Deadwyler

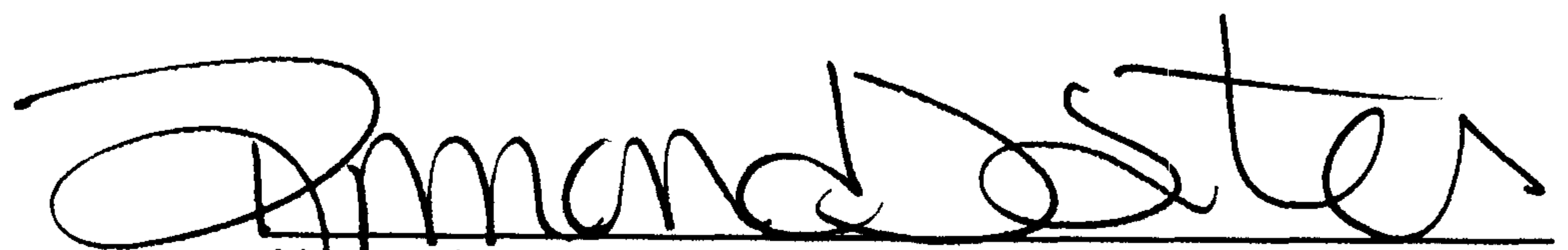
STATE OF ALABAMA }  
COUNTY OF JEFFERSON }

Shelby County, AL 12/27/2005  
State of Alabama  
Deed Tax: \$27.00

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Brian D. Deadwyler and Sarah J. Deadwyler, 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/they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 20th day of December, 2005.



  
\_\_\_\_\_  
Notary Public - R. Timothy Estes  
My Commission Expires: 07/11/07

