

SEND TAX NOTICE TO:
Ernest John Wesley Emmons, III
and Elizabeth Marie Emmons
2220 Hearthwood Circle
Birmingham, Alabama 35242

This instrument was prepared by:
Sunny Henderson
Richard McClelland
300 Office Park Drive, Suite 230
Birmingham, AL 35223



20051227000662710 1/2 \$30.50
Shelby Cnty Judge of Probate, AL
12/27/2005 11:50:08AM FILED/CERT

WARRANTY DEED, JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

STATE OF ALABAMA
SHELBY COUNTY

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of **Three Hundred Twenty Five Thousand dollars & no cents (\$325,000.00)**

To the undersigned **GRANTOR(S)** in hand paid by the **GRANTEE(S)** herein, the receipt whereof is acknowledged,

Robert K. Flayhart and wife, Laurie L. Flayhart(herein referred to as **GRANTOR(S)**), do grant, bargain, sell and convey unto **Ernest John Wesley Emmons, III and wife, Elizabeth Marie Emmons**(herein referred to as **GRANTEE(S)**), as joint tenants, with right of survivorship, the following described real estate, situated in **Shelby County, Alabama**, to-wit:

LOT 9, ACCORDING TO THE MAP AND SURVEY OF HEARTHWOOD, AS RECORDED IN MAP BOOK 16, PAGE 27, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

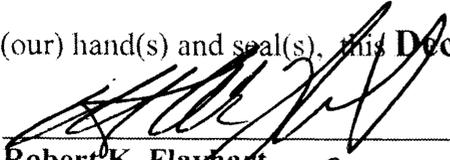
SITUATED IN SHELBY COUNTY, ALABAMA.

- 1.) 30' building line on the front of the lot line as shown on recorded Map Book 16, Page 27.
- 2.) 10' easement on the rear of the lot line as shown on recorded Map Book 16, Page 27.
- 3.) Subject to Covenants, conditions and restrictions (deleting therefrom, any restrictions indicating any preference, limitation or discrimination based on race, color, religion, sex, handicap, family status or national origin) as set forth in the document recorded in Instrument 19920416000046801 amended in Instrument 19940228000065121 in the Probate Office of Shelby County, Alabama.
- 4.) Fence easement as recorded in Instrument 19920505000071861 and Instrument 19920603000101221.

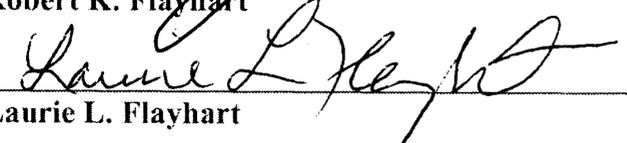
TO HAVE AND TO HOLD Unto the said **GRANTEES** as joint tenants, with right of survivorship, their heirs and assigns, forever; it being the intention of the parties to this conveyance, that (unless the joint tenancy hereby created is severed or terminated during the joint lives of the grantees herein) 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, GRANTOR(S) have hereunto set my (our) hand(s) and seal(s), this **December 12, 2005**



Robert K. Flayhart (Seal)



Laurie L. Flayhart (Seal)

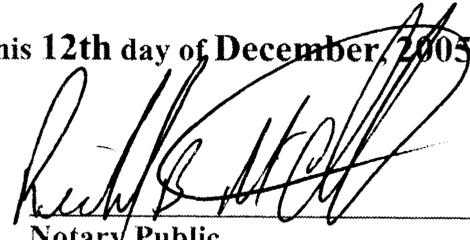
STATE OF ALABAMA
JEFFERSON COUNTY

General Acknowledgment

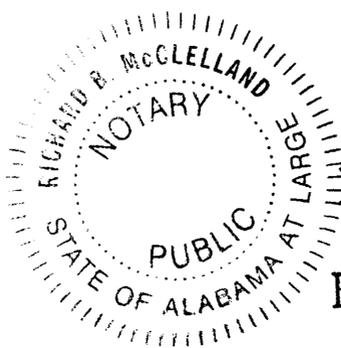

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I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Robert K. Flayhart and wife, Laurie L. Flayhart, whose name(s) was (were) signed to the foregoing conveyance, and who is (are) known to me (or satisfactorily proven), 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 official seal this 12th day of December, 2005.



Notary Public.



NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: OCT 21, 2006
BONDED THRU NOTARY PUBLIC UNDERWRITERS

Shelby County, AL 12/27/2005
State of Alabama

Deed Tax: \$16.50