

This instrument was prepared by: Wallace, Ellis, Fowler & Head P O Box 587 Columbiana, AL 35051

Send Tax Notice to:

Mr. and Mrs. Marshall C. Nichols
108 Country Cove
Chelsen, Az 35043

WARRANTY DEED, JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

STATE OF ALABAMA)
SHELBY COUNTY)

KNOW ALL MEN BY THESE PRESENTS, That in consideration of TWO HUNDRED SEVENTY ONE THOUSAND SEVEN HUNDRED NINETY FIVE AND 50/00 (\$271,795.50), to the undersigned grantor (whether one or more), in hand paid by grantee herein, the receipt whereof is acknowledged, I or we, Billy E. Smith, Jr. and wife, Carol H. Smith, (herein referred to as grantor, whether one or more) grant, bargain, sell and convey unto, Marshall C. Nichols and Patricia C. Nichols, (herein referred to as grantee, whether one or more), the following described real estate, situated in Shelby County, Alabama, to-wit:

See Attached Exhibit "A" for Legal Description.

Subject to taxes for 2006 and subsequent years, easements, restrictions, rights of way and permits of record.

\$244,215.00 of the above recited purchase price was paid by mortgage being recorded 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, and 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, heirs, executors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 4 day of Billy C. Gruth.

Billy E. Smith, Jr.

Carol H. Smith

STATE OF ALABAMA)
SHELBY COUNTY)

I, the undersigned authority, a Notary Public in and for said County, in said State hereby certify that Billy E. Smith, Jr. and Carol H. Smith, 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 the conveyance they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 4th day of 600, 200

Notary Public

My commission expires: 10-6-08

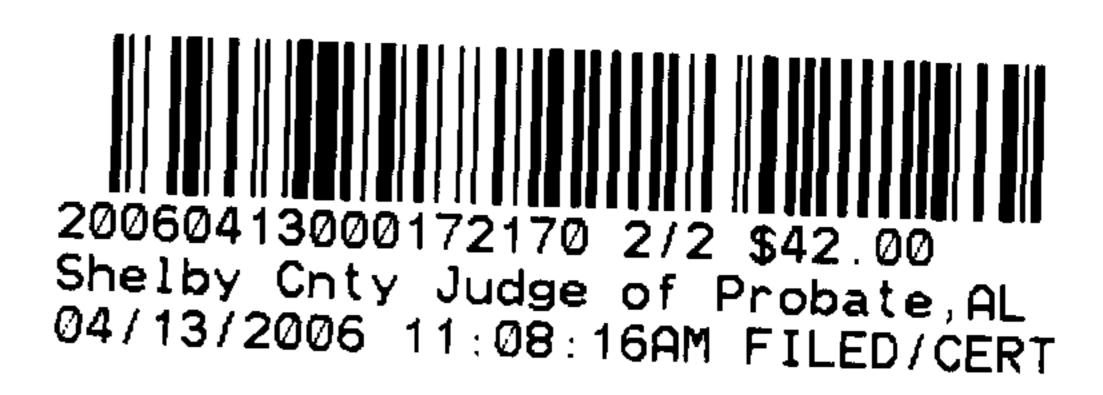


EXHIBIT "A"

A parcel of land situated in the SE ¼ of the NE ¼ of Section 34, Township 20 South, Range 2 West, Shelby County, Alabama, and being more particularly described as follows:

Begin at the NE corner of above said ¼ - ¼, said point being the Point of Beginning, thence North 89 deg. 46 min. 47 sec. West, a distance of 654.64'; thence South 07 deg. 10 min. 12 sec. West, a distance of 1,331.89'; thence South 89 deg. 44 min. 32 sec. East, a distance of 659.70'; thence North 00 deg. 02 min. 52 sec. West a distance of 1,332.34' to the Point of Beginning.

Shelby County, AL 04/13/2006 State of Alabama

Deed Tax: \$28.00