

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This instrument was prepared by:

SEND TAX NOTICE TO:

R. Shan Paden
PADEN & PADEN, PC
5 Riverchase Ridge
Birmingham, Alabama 35244

JACK W. GARDNER
1200 HAVEN ROAD
BIRMINGHAM, AL 35242

STATE OF ALABAMA COUNTY OF SHELBY

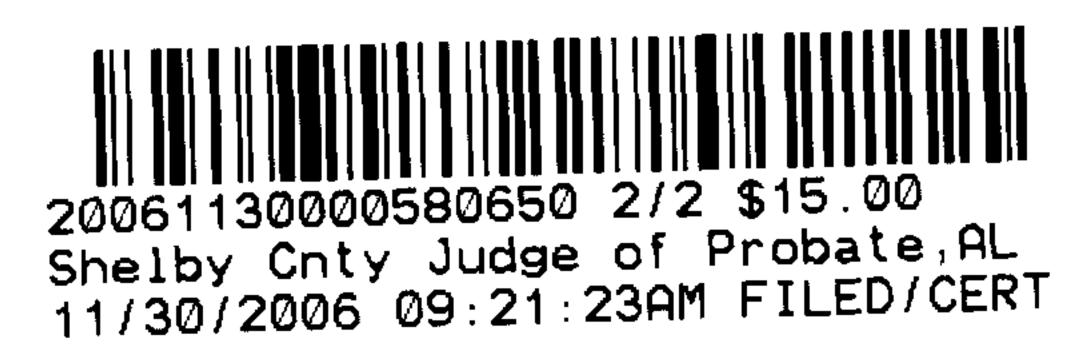
JOINT TENANTS WITH RIGHT OF SURVIVORSHIP WARRANTY DEED

Know All Men by These Presents: That in consideration of THREE HUNDRED EIGHTY SEVEN THOUSAND DOLLARS 00/100 (\$387,000.00) to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, I/we, JEROME ALAN SPEEGLE and BESS M. SPEEGLE, HUSBAND and WIFE (herein referred to as GRANTORS) do grant, bargain, sell and convey unto JACK W. GARDNER and LILY R. GARDNER, (herein referred to as GRANTEES, as joint tenants, with right of survivorship, whether one or more) the following described real estate, situated in SHELBY County, Alabama, to-wit:

Lot 26, according to the Survey of The Haven at Greystone, 2nd Sector, as recorded in Map Book 32, Page 96 A and B, in the Probate Office of Shelby County, Alabama.

SUBJECT TO:

- 1. TAXES FOR THE YEAR BEGINNING OCTOBER 1, 2006 WHICH CONSTITUTES A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 2007.
- 2. SUBJECT TO MATTERS SHOWN ON RECORDED MAP BOOK 32 AT PAGE 96 A AND B.
- 3. SUBJECT TO SINKHOLE PRONE TO AREAS AS SHOWN BY RECORDED MAP BOOK 31, PAGE 47.
- 4. MINERAL AND MINING RIGHTS AS RECORDED IN DEED BOOK 121, PAGE 294, DEED BOOK 243, PAGE 828 AND REAL 261, PAGE 464 AND INSTRUMENT NO. 20021003000479590.
- 5. COVENANTS AND AGREEMENT FOR WATER SERVICE RECORDED IN REAL 235, PAGE 574.
- 6. SUBJECT TO DECLARATIONS OF WATERSHED PROTECTIVE COVENANTS AS RECORDED IN INSTRUMENT NO. 2000-17644 AND ASSIGNMENT AND ASSUMPTION RECORDED IN INSTRUMENT NO. 2000-20625.
- 7. DECLARATION OF PROTECTIVE COVENANTS AS RECORDED IN INSTRUMENT NO. 1999-50995, RERECORDED IN BIRMINGHAM INSTRUMENT NO. 200303/2094 AND LAST AMENDED IN INSTRUMENT NO. 1999-12257.
- 8. EASEMENT(S) AND/OR RIGHTS OF WAY TO ALABAMA POWER COMPANY RECORDED IN BOOK 133, PAGE 551, DEED BOOK 246, PAGE 848 AND REAL 142, PAGE 188.
- 9. RECIPROCAL EASEMENT AGREEMENT AS RECORDED IN INSTRUMENT NO. 2001-38396.
- 10. RESTRICTIONS APPEARING OF RECORD IN BOOK 31, PAGE 47...
- 11. RIGHTS OF CLAIMS OF PARTIES IN POSSESSION NOT SHOWN BY THE PUBLIC RECORDS.
- 12. ENCROACHMENTS, OVERLAPS, BOUNDARY LINE DISPUTES, VARIATIONS OR SHORTAGES IN AREA OR CONTENT AND ANY OTHER MATTERS WHICH WOULD BE DISCLOSED BY AN



ACCURATE SURVEY AND/OR INSPECTION OF THE PREMISES.

- 13. ROADS, STREAMS, WAYS OR EASEMENTS OR CLAIMS OR EASEMENTS NOT SHOWN BY THE PUBLIC RECORDS, RIPARIAN RIGHTS AND TITLE TO ANY FILLED IN LAND.
- 14. ANY LIEN, OR RIGHT TO A LIEN, FOR SERVICES, LABOR OR MATERIALS HERETOFORE OR HEREAFTER FURNISHED, IMPOSED BY LAW AND NOT SHOWN BY THE PUBLIC RECORDS.
- 15. ANY ASSESSMENT WHICH IS A LIEN, BUT NOT YET CERTIFIED TO PROPER TAX AUTHORITY.

\$309,600.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

\$77,400.00 of the consideration herein was derived from a second mortgage 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, his, her, or 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, his, her, or their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said GRANTORS, JEROME ALAN SPEEGLE and BESS M. SPEEGLE, have hereunto set his, her or their signature(s) and seal(s), this the 20th day of November, 2006.

VEROME ALAN SPEEGLE

NOTARY

BESS M. SPEEGLE

STATE OF ALABAMA COUNTY OF SHELBY

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that **JEROME ALAN SPEEGLE and BESS M. SPEEGLE**, 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, or they executed the same voluntarily on the day the same bears date.

Given under my hand this the 20th day of November, 2006.

Notary Public

My commission expires: 1.29.26/