THIS INSTRUMENT PREPARED BY:
R. Timothy Estes, Esq.
Estes, Sanders & Williams, LLC
3800 Colonnade Parkway, Suite 330
Birmingham, Alabama 35243

20061222000624250 1/1 $11.50
Shelby Cnty Judge of Probate, AL
12/22/2006 10:20:12AM FILED/CERT

SEND TAX NOTICE TO:
Brian Joseph Mackenzie
3000 Belvedere Lane
Birmingham, Al 35242

STATUTORY WARRANTY DEED
Joint Tenants with Rights of Survivorship

STATE OF ALABAMA }

COUNTY OF SHELBY }

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of **Three Hundred Forty-Eight Thousand Five Hundred Sixty-One and 00/100 Dollars ($348,561.00)** and other good and valuable consideration paid in hand by the GRANTEES herein to the undersigned GRANTOR, the receipt whereof is acknowledged,

D.R. Horton, Inc. - Birmingham
(herein referred to as GRANTOR, whether one or more) do, grant, bargain, sell and convey unto

Brian Joseph Mackenzie and Bonnie Jeanne Mackenzie
(herein referred to as GRANTEE, whether one or more), the following described real estate situated in Shelby County, Alabama, to-wit:

Lot 76, according to the Survey of Final Map of Belvedere Cove, Phase 1, as recorded in Map Book 35, page 45A and 45B, in the Probate Office of Shelby County, Alabama

Mineral and mining rights excepted.
Subject to current taxes, easements and restrictions of record.

$278,648.00 of the consideration was paid from a mortgage loan closed simultaneously herewith.
$69,662.00 of the consideration was paid from a mortgage loan closed simultaneously herewith, second and subordinate to the first mortgage

TO HAVE AND TO HOLD, unto the said GRANTEE 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.

Grantor makes no warranty or covenant respecting the nature of the quality of the title to the property hereby conveyed other than that the Grantor has neither permitted or suffered any lien, encumbrance or adverse claim to the property described herein since the date of acquisition thereof by the Grantor.

IN WITNESS WHEREOF, the said GRANTOR by its Assistant Secretary who is authorized to execute this conveyance, hereto set his/her signature and seal this the 15th day of December, 2006.

D. R. HORTON, INC. - BIRMINGHAM

BY:
ITS: Assistant Secretary

Shelby County, AL 12/22/2006
State of Alabama

Deed Tax:$.50

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

I, R. TIMOTHY ESTES, the undersigned, a Notary Public in and for said County in said State, hereby certify that _____ whose name as Assistant Secretary of D.R. HORTON, INC. - BIRMINGHAM a corporation, is signed to the foregoing conveyance, and who is known to me acknowledged before me on this day, that, being informed of the contents of the conveyance, as such officer and with full authority, executed the same voluntarily on the day the same bears date. Given under my hand and official seal, the 15th day of December, 2006.

SEAL

Notary Public - R. TIMOTHY ESTES
My Commission Expires: July 11, 2007