

File No.: 07017

WARRANTY DEED

STATE OF ALABAMA) **SEND TAX NOTICE TO:** **THIS INSTRUMENT PREPARED BY:**
COUNTY OF SHELBY) D. Wayne Wilhite and Kelly L. Wilhite W. Eric Pitts, W. Eric Pitts, L.L.C. 1240 1st
179 Marstone Drive Street North, Suite 209, Alabaster, AL
Helena, AL 35080 35007. No title opinion requested, none
rendered.

KNOW ALL MEN BY THESE PRESENTS that T.P. Homebuilders, Inc., an Alabama corporation (hereinafter "GRANTOR"), for and in consideration of the sum of **\$289,900.00**, to it in hand paid, the receipt and sufficiency of which is hereby acknowledged, GRANTOR hereby grants, bargains, sells and conveys to D. Wayne Wilhite and Kelly L. Wilhite (hereinafter "GRANTEES"), for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, together with every contingent remainder and right of reversion, that property and interest described as follows:

Lot 36, according to the refiled map of Fieldstone Park 4th Sector, as recorded in Map Book 31, Page 3, in the Probate Office of Shelby County, Alabama.

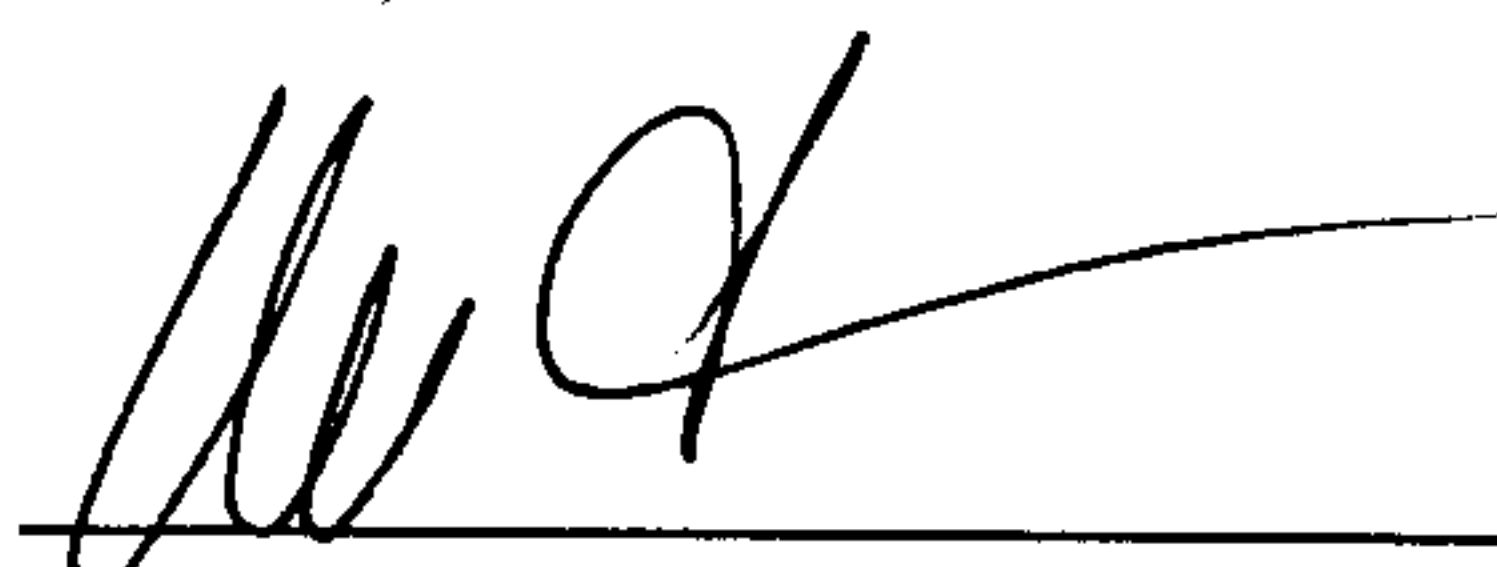
\$289,900.00 of the purchase price was paid with two contemporaneous Purchase Money Mortgages, the first in the amount of \$231,900.00 and the second in the amount of \$58,000.00.

SUBJECT TO, EXCEPT AND RESERVING: (a) all reservations, easements, rights-of-way, encumbrances, exceptions, covenants, restrictions, and any and all other interests affecting the property whatsoever (of record or otherwise), (b) any and all taxes, dues, assessments or other charges due or to become due on the property, (c) all encumbrances and encroachments which a reasonable inspection of the premises would reveal and (d) any and all mining, mineral or other similar rights interests whatsoever (of record or otherwise).

TO HAVE AND TO HOLD the foregoing premises, together with all and singular the tenements and appurtenances thereto belonging or any wise appertaining except as otherwise noted or excepted above, to the said GRANTEES, for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, and to the successors, heirs and assigns of the survivor forever.

GRANTOR DOES HEREBY COVENANT, for itself, its successors and assigns, with GRANTEES, their successors, heirs and assigns, that GRANTOR is at the time of these presents, lawfully seized in fee simple of the afore granted premises; (b) that they are free from all encumbrances, unless otherwise noted or excepted above, (c) that GRANTOR has a good right to sell and convey the same and (d) that GRANTOR will warrant and defend the said premises to said GRANTEES, their successors, heirs and assigns, forever against the lawful claims and demands of all persons.

GRANTOR HAS HERETO set its hand and seal by its President, who is authorized to execute this conveyance, on June 28, 2007.




T.P. Homebuilders, Inc.
by William Pittman
its President

STATE OF ALABAMA
COUNTY OF SHELBY

I, THE UNDERSIGNED AUTHORITY, a Notary Public in and for said county, hereby certify that William Pittman, whose name is signed to the foregoing instrument as President of T.P. Homebuilders, Inc., and who is known to me, acknowledged before me on this day that being informed of the contents of the said conveyance, he, as such officer acting with full authority, executed the same voluntarily and on behalf of said entity on the day and year set forth above.

GIVEN UNDER MY HAND, on June 28, 2007.



NOTARY PUBLIC

