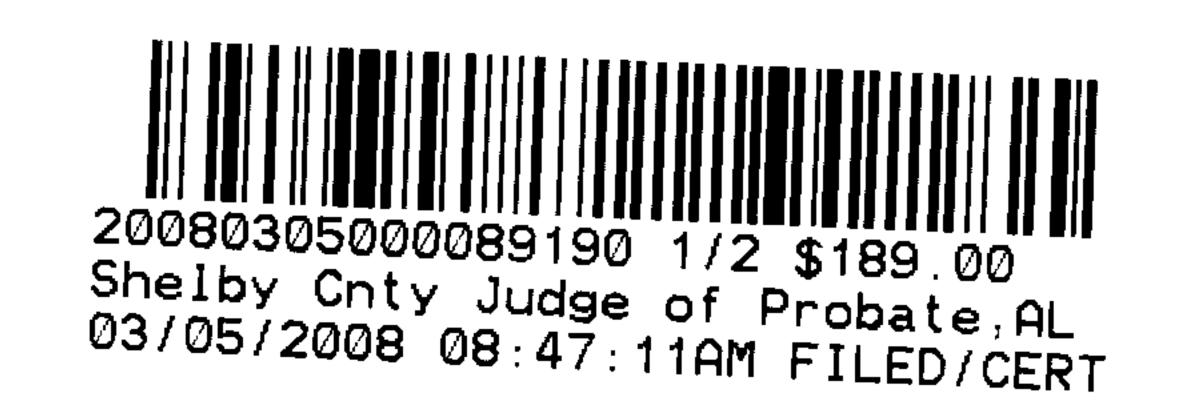
16000



Shelby County, AL 03/05/2008 State of Alabama

Deed Tax:\$175.00

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This instrument was prepared by:

SEND TAX NOTICE TO:

R. Shan Paden
PADEN & PADEN, PC
5 Riverchase Ridge

EDWARD J. MCGURK 108 HIGH CREST ROAD PELHAM, AL 35124

Birmingham, Alabama 35244

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 FIFTY FIVE THOUSAND DOLLARS 00/100 (\$355,000.00) to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, I/we, KENNETH R. CALDWELL and LAURA MELISSA CALDWELL, HUSBAND and WIFE (herein referred to as GRANTORS) do grant, bargain, sell and convey unto EDWARD J. MCGURK and PATRICIA LUBKING MCGURK, (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:

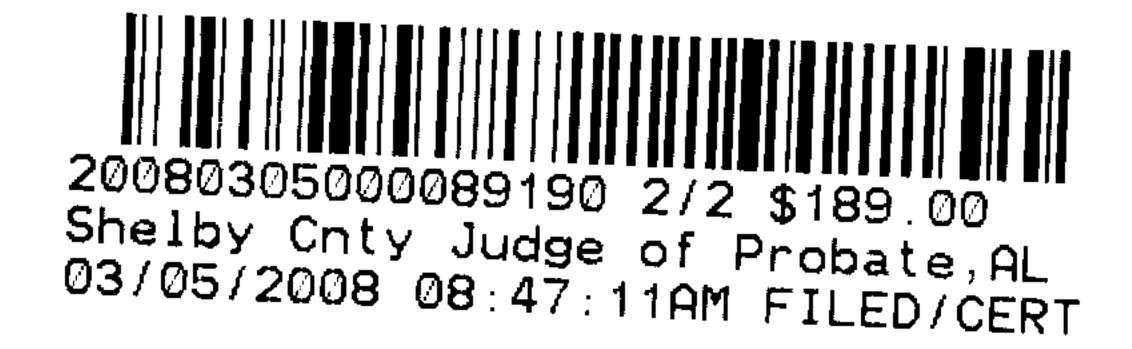
Lot 3A, according to the Resurvey of Oak Crest, Sector One, as recorded in Map Book 25, Page 56, in the Probate Office of Shelby County, Alabama.

SUBJECT TO:

- 1. TAXES FOR THE YEAR BEGINNING OCTOBER 1, 2007 WHICH CONSTITUTES A LIEN BUT ARE NOT DUE AND PAYABLE UNTIL OCTOBER 1, 2008.
- 2. 50' BUILDING LINE ALONG HIGH CREST ROAD AS SHOWN ON RECORDED MAP.
- 3. RESTRICTIONS APPEARING OF RECORD IN INST. NO. 1996-2204 AND INST. NO. 1999-42849.
- 4. RIGHT OF WAY GRANTED TO ALABAMA POWER COMPANY BY INSTRUMENT(S) RECORDED IN INST. NO. 1997-15372 AND DEED BOOK 262, PAGE 15.
- TITLE TO ALL MINERALS WITHIN AND UNDERLYING THE PREMISES, TOGETHER WITH ALL MINING RIGHTS AND OTHER RIGHTS, PRIVILEGES, IMMUNITIES AND RELEASE OF DAMAGES RELATING THERETO, AS RECORDED IN DEED BOOK 33, PAGE 300 AND DEED BOOK 244, PAGE 587.
- 6. RIGHT(S) OF WAY TO SHELBY COUNTY, AS RECORDED IN DEED BOOK 36, PAGE 385; DEED BOOK 242, PAGE 911; DEED BOOK 230, PAGE 117 AND DEED BOOK 180, PAGE 544.
- 7. ANY RESTRICTIONS WHICH MAY EFFECT SUBJECT PROPERTY AS CONTAINED IN ADJACENT PROPERTY IN MAP BOOK 25, PAGE 111.

\$180,000.00 of the consideration herein was derived from a 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.

MARTHA HALE

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that MARTHA HALE whose name(s) as attorney in fact for KENNETH R. CALDWELL and LAURA MELISSA CALDWELL, 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, they, in their capacity as Attorney In Fact, executed the same voluntarily with full authority on the day the same bears date.

Given under my hand this the 28TH day of February, 2008.

Notary Public

My commission expires:

AUBLIC

AUB