

This instrument was prepared by:

Stephen D Keith 3500 Independence Drive Birmingham, AL 35209

Please Send Tax Notice to:

Jill S Nichols & Jess N Nichols 114 Talon Parkway Birmingham, AL 35242

WARRANTY DEED, JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

STATE OF ALABAMA

COUNTY OF SHELBY

KNOW ALL MEN BY THESE PRESENTS, that in consideration of Two Hundred Eighteen Thousand and 00/100 Dollars (\$218,000.00) to the undersigned Grantor in hand paid by the Grantees herein, the receipt of which is hereby acknowledged, I/we, James David McCutchen and wife, Betty F McCutchen (hereinafter referred to as Grantor whether one or more), do grant, bargain, sell and convey unto Jill S Nichols and Jess N Nichols, (hereinafter referred to as Grantees) for and during their joint lives as joint tenants 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, the following described real estate situated in Shelby County, Alabama, to wit:

Lot 237, according to the Map and Survey of Eagle Point, 2nd Sector-Phase 1, as recorded in Map Book 18, Page 2, in the Office of the Judge of Probate of Shelby County, Alabama.

Subject to:

- Taxes for the year 2008 and all subsequent years.
- Any and all easements, restrictions, covenants, mineral reservations, conveyance of minerals, and rights of way applicable to subject property.

Note: \$174,400.00 of the purchase price is beingpaid with a mortgage loan executed contemporaneously herewith.

TO HAVE AND TO HOLD to said Grantees for and during their joint lives as joint tenants and upon the death of either of them, then to the survivorship of them in fee simple, and to the heirs of each such survivor forever, together with every contingent remainder and right of reversion.

And I do for myself, and for my heirs, executors and administrators covenant with aid Grantees, their heirs and assigns, that I am lawfully seized in fee simple of saidpremises; that they are free from all encumbrances, unless otherwise noted above; that I have a good right to sell and convey the same as aforesaid; that I will and my heirs, executors and administrators shall warrant and defend the same to said Grantees, their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, I/we have hereunto set my/our hand and seal this / day of , 2008. Betty F McCutchen

State of Alabama

Shelby County, AL 07/24/2008

State of Alabama

Shelby County)

Deed Tax: \$44.00

I, the undersigned, a Notary Public in and for said County, in saidstate, hereby certify that James David McCutchen and Betty F McCutchen 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, he/she executed the same voluntarily for and as his/her act on the day same bears date.

Given under my hand and seal this ?

in the year_

Notary Public

My Commission Expires 3/21/2012