

This instrument was prepared by:
Harry W. Gamble
105 Owens Parkway, Suite B
Birmingham, Alabama 35244

Send tax notice to:
3241 Indian Crest Drive
Indian Springs Village, AL
35124

**STATE OF ALABAMA
COUNTY OF SHELBY**

**JOINT TENANTS WITH RIGHT OF SURVIVORSHIP
WARRANTY DEED**

Know All Men by These Presents: That in consideration of **SEVEN HUNDRED FOUR THOUSAND AND NO/100 DOLLARS (\$704,000.00)** to the undersigned grantor (whether one or more), in hand paid by the grantee herein, the receipt of which is acknowledged, I or we, **M & F BANK**, a banking corporation (herein referred to as grantor, whether one or more), grant, bargain, sell and convey unto **JOSEPH E. STOTT AND RACHELLE L. STOTT** (herein referred to as grantees, whether one or more), the following described real estate, situated in Shelby County, Alabama, to-wit:

Lot 4, according to the Survey of The View at Indian Crest, as recorded in Map Book 37, page 48, in the Probate Office of Shelby County, Alabama.

Subject to:

- (1) Taxes or assessments for the year 2009 and subsequent years not yet due and payable; (2) Mineral and mining rights not owned by the Grantor (3) All easements, restrictions, covenants, and rights of way of record, including but not limited to: (a) Restrictions appearing of record in Instrument 20060728000364420, in the Probate Office of Shelby County, Alabama, but omitting any covenant or restriction based on race, color, religion, sex, handicap, familial status, or national origin. (b) Easement to the Alabama Power Company recorded in Shelby Volume 232, Page 389, in the Probate Office of Shelby County, Alabama. (c) Mineral and mining rights and rights incident thereto recorded in Shelby Volume 219, Page 387, in the Probate Office of Shelby County, Alabama. (d) Easement to Alabama Power Company recorded in Deed Book 186, Page 194, in the Probate Office of Shelby County, Alabama. (e) Right of way to Shelby County, recorded in Deed Book 216, Page 9, in the Probate Office of Shelby County, Alabama. (f) Mineral and mining and rights incident thereto recorded in Deed Book 42, Page 246, in the Probate Office of Shelby County, Alabama. (g) Release of Damages as recorded in Instrument Real 780, Page 766 and Real 258, Page 544, in the Probate Office of Shelby County, Alabama. (h) Restrictions as shown by recorded map. (i) Easement(s) as shown by recorded map. (j) Building line(s) as shown by recorded map. (k) Buffer as shown by recorded map. (l) Easement to Alabama Power Company recorded in Instrument 20071029000496800, In the Probate Office of Shelby County, Alabama

\$417,000.00 of the purchase price recited above was paid from mortgage loan closed simultaneously herewith.

To Have And To Hold to 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 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 grantees, and, if one does not survive the other, then the heirs and assigns of the grantees herein shall take as tenants in common.

survive the other, then the heirs and assigns of the grantees herein shall take as tenants in common.

The grantor covenants and agrees with the grantees that it is seized of an indefeasible estate in fee simple of said property, and that the grantor has the lawful right to sell and convey the same in fee simple; that the grantor is executing this Deed in accordance with the Articles of Incorporation and Bylaws of M & F Bank, which have not been modified or amended; that the property is free from encumbrances, and that the grantor and that its successors and assigns shall warrant and defend the same to the grantees, his, her or their heirs and assigns, against the lawful claims and demands of all persons.

5th In Witness Whereof, I (we) have hereunto set my (our) hand(s) and seal(s) this day of February, 2009.

M & F Bank

By: Betty Horton (SEAL)
Betty Horton
Its: Vice President

STATE OF ALABAMA
COUNTY OF JEFFERSON

I, the undersigned, a Notary Public in and for said State and County, hereby certify that **Betty Horton**, whose name as **Vice President of M & F Bank**, a banking 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, he executed the same voluntarily and as the act of said entity, on the day the same bears date.

Given under my hand and official seal this 5th day of FEB, 2009.

HARRY GAMBLE
NOTARY PUBLIC
STATE OF ALABAMA
MY COMMISSION EXPIRES FEB. 18, 2012

[Signature]
Notary Public