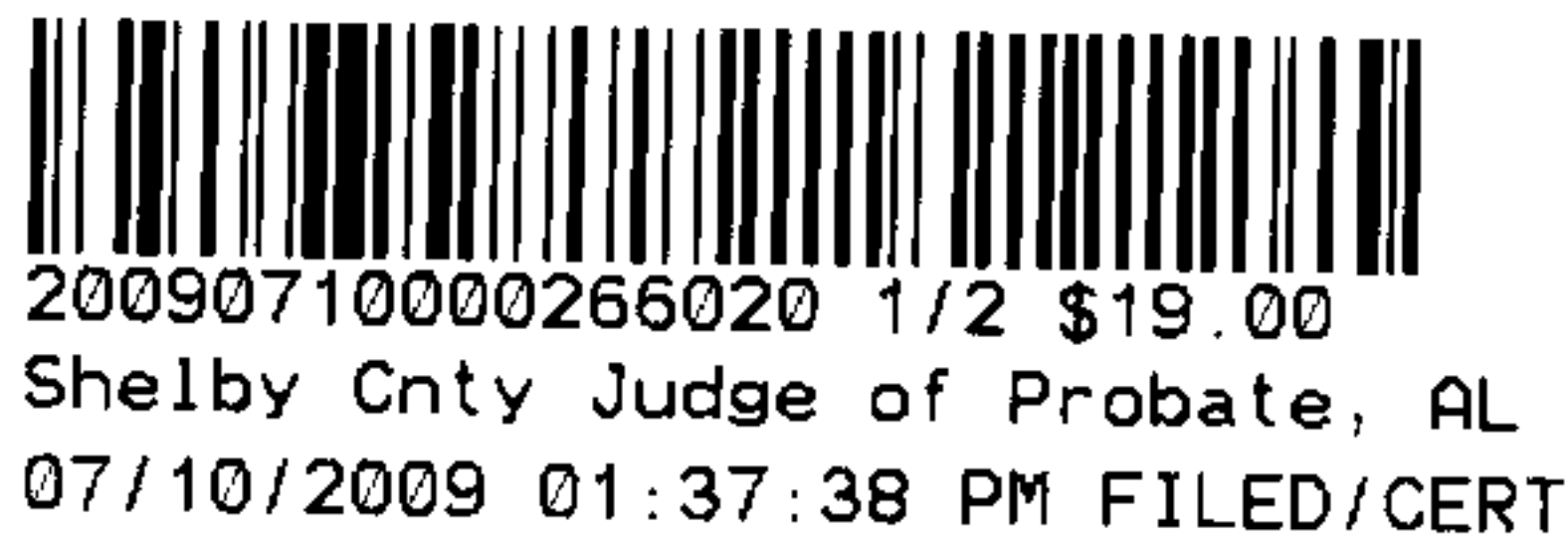


WARRANTY DEED

This Instrument Was Prepared By:  
Frank K. Bynum, Esquire  
#17 Office Park Circle  
Birmingham, Alabama 35209

SEND TAX NOTICE TO:



STATE OF ALABAMA )  
COUNTY OF SHELBY )

KNOW ALL MEN BY THESE PRESENTS, That in consideration of One Hundred Seventy Eight Thousand Five Hundred and NO/100 Dollars (\$178,500.00 ) to the undersigned Grantors in hand paid by the Grantees herein, the receipt of which is hereby acknowledged, **George O. DuBerry, Jr. and wife, Beverly P. DuBerry**, (herein referred to as Grantors) do grant, bargain, sell and convey unto **Carl J. Mauterer and Teresa Mauterer** (herein referred to as Grantees), as joint tenants with right of survivorship, the following described real estate, situated in the State of Alabama, County of Shelby, to-wit:

Lot 303-A, according to the Amended Map of a Resurvey of Lots 303 and 304, Phase I, Fieldstone Park, Third Sector, as recorded in Map Book 19, Page 133 in the Office of the Judge of Probate of Shelby County, Alabama.

\$173,500.00 of the purchase price recited above was paid from a mortgage loan closed simultaneously herewith.

Title not examined by preparer. Any information used was provided by the Grantor.

Subject to existing easements, restrictions, set back lines, rights of ways, limitations, if any, of record.

Subject to that certain mortgage to \_\_\_\_\_, recorded \_\_\_\_\_, in the Office of the Judge of Probate of Shelby County, Alabama.

The undersigned Grantees herein accept delivery of title by this deed knowing that it is subject to an outstanding mortgage, debt or lien which is an encumbrance upon this property and agree that said mortgage debt or lien may be permissibly outstanding and remain unpaid until such time as Grantees' mortgage indebtedness closed simultaneously herewith is paid in full. Grantees have the right to cure any defects or pay any claims arising from same if necessary to protect their interest and offset any amounts paid against debts or obligations to Grantor.

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

IN WITNESS WHEREOF, We have hereunto set our hands and seal, this 30th day of April, 2009.

GRANTEES:

Carl J. Mauterer  
Carl J. Mauterer

Teresa W. Mauterer  
Teresa Mauterer

GRANTOR:

George O. DuBerry, Jr.  
George O. DuBerry, Jr.

Beverly P. DuBerry  
Beverly P. DuBerry

STATE OF ALABAMA )

COUNTY OF JEFFERSON )

I, the undersigned, a Notary Public in and for said County in said State, hereby **Carl J. Mauterer and wife, Teresa Mauterer** certify that 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 of the conveyance, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this 30th day of April, 2009.

R. A. S. Hester  
Notary Public

My Commission Expires:

NOTARY PUBLIC STATE OF ALABAMA AT LARGE  
MY COMMISSION EXPIRES: June 22, 2010

STATE OF ALABAMA )  
COUNTY OF JEFFERSON )

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that **George O. DuBerry, Jr. and wife, Beverly P. DuBerry**, 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 of the conveyance, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this the 30th day of April, 2009.

Brenda Kinsey  
Notary Public

My Commission Expires:

Oct. 18, 2011

