

THIS INSTRUMENT PREPARED BY:
R. Timothy Estes, Esq.
Estes, Sanders & Williams, LLC
4501 Pine Tree Circle
Vestavia Hills, Alabama 35243

SEND TAX NOTICE TO:
Joseph G. Fortner
264 Creekside Lane
Pelham, AL 35124

STATUTORY WARRANTY DEED Joint Tenants with Rights of Survivorship

STATE OF ALABAMA)

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF SHELBY)

That in consideration of **Two Hundred Twenty-Five Thousand Five Hundred Ten and 00/100 Dollars (\$225,510.00)** and other good and valuable consideration paid in hand by the GRANTEES herein to the undersigned GRANTOR, the receipt and sufficiency whereof are acknowledged,

D.R. Horton, Inc. - Birmingham

(herein referred to as GRANTORS, whether one or more) does, grant, bargain, sell and convey unto

Joseph G. Fortner and Brenda K. Fortner

(herein referred to as GRANTEE, whether one or more), all of its right, title and interest in and to that certain real estate situated in SHELBY County, Alabama, to-wit:

Lot 210, according to the Final Plat of Holland Lakes, Sector 3, as recorded in Map Book 37, page 85, in the Probate Office of Shelby County, Alabama.

TOGETHER WITH the non-exclusive easement to use the Common Areas as more particularly described in Holland Lakes Declaration of Covenants, Conditions and Restrictions executed by Holland Lakes, Inc. and filed in Instrument 20050425000196100, amended by First Amendment recorded in Instrument 20050602000267270 and further amended by Second Amendment recorded in Instrument 2007312000109050 and further amended by Third Amendment recorded in Instrument 20110401000101990 in the Probate Office of Shelby County, Alabama (the "Declaration").

Mineral and mining rights excepted. Subject to current taxes, conditions, covenants, easements and restrictions of record. \$0.00 of the consideration was paid from a mortgage loan closed simultaneously herewith.

TO HAVE AND TO HOLD, unto the said GRANTEE 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.

By acceptance of this Deed, Grantees hereby covenant and agree for themselves and their heirs and assigns that the Grantor shall not be liable for, and no action shall be asserted against Grantor for loss or damage on account of injuries to the property conveyed herein or to any buildings, improvements, or structures now or hereafter located upon the Property, or on account of past or future injuries to any owner, occupant or other person in or upon the property, which are caused by, or arise as a result of soil and/or subsurface conditions, known or unknown (including, without limitation, underground mines, sinkholes or other geological formations, deposits or conditions) under or on said property or any other property now or hereafter owned by Grantor, whether contiguous or non-contiguous to the Property sold hereunder. This covenant and agreement shall run with the land conveyed hereby as against Grantees, and all persons or entities holding under or through Grantees.

Grantor makes no warranty or covenant respecting the nature of the quality of the title to the property hereby conveyed other than that the Grantor has neither permitted or suffered any lien, encumbrance or adverse claim to the property described herein since the date of acquisition thereof by the Grantor.

IN WITNESS WHEREOF, the said GRANTOR by its Assistant Secretary who is authorized to execute this conveyance, hereto set her signature and seal this the 21st day of October, 2011.

D. R. HORTON, INC. - BIRMINGHAM



BY: Brenda L. Gibson

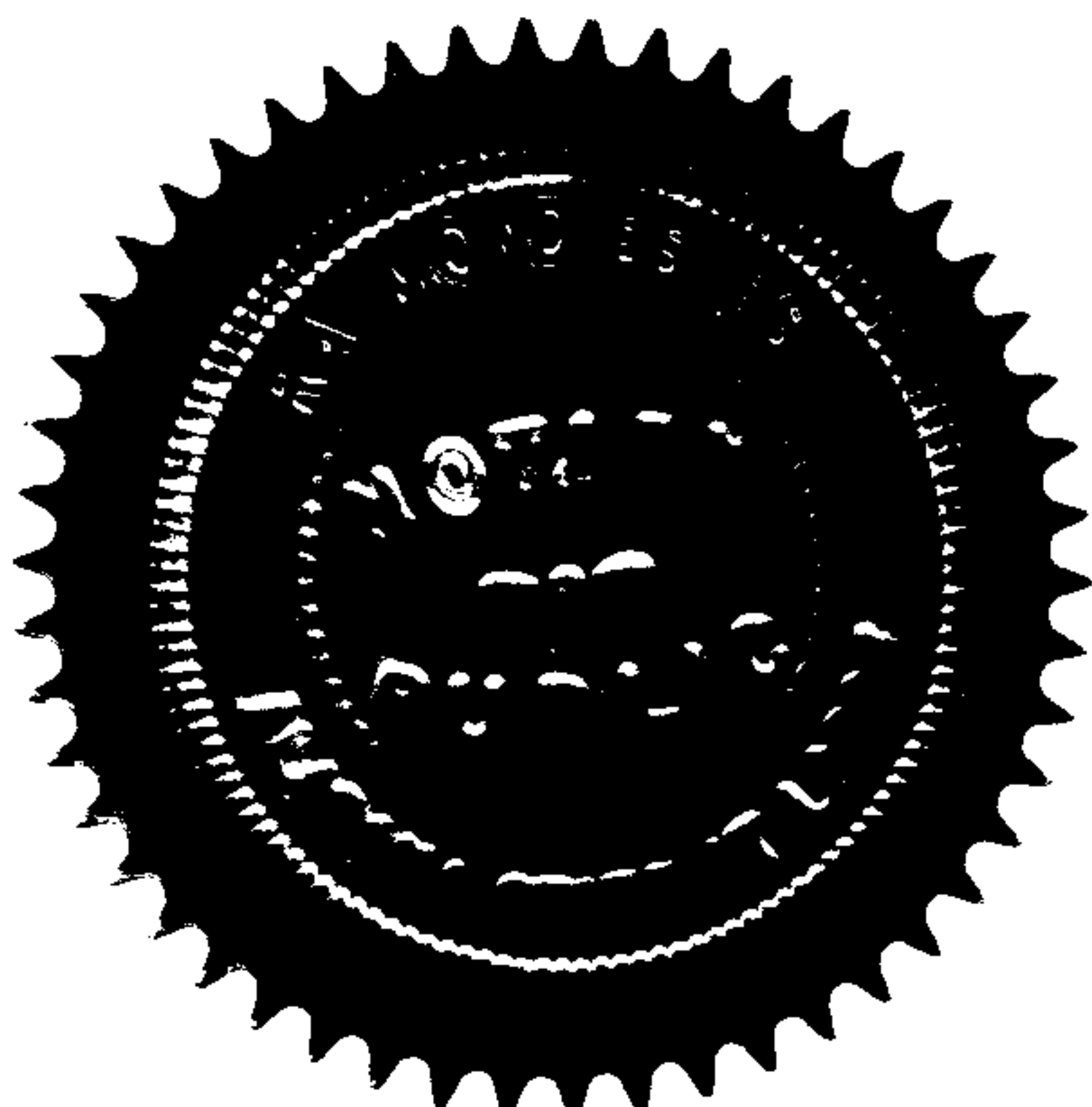
ITS: Assistant Secretary

STATE OF ALABAMA)

COUNTY OF JEFFERSON)

I, R. Timothy Estes, the undersigned, a Notary Public in and for said County in said State, hereby certify that Brenda L. Gibson whose name as Assistant Secretary of D.R. HORTON, INC. - BIRMINGHAM a 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, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, the 21st day of October, 2011.



Notary Public

My Commission Expires: 07/11/15

20111118000349020 1/1 \$237.50
Shelby Cnty Judge of Probate, AL
11/18/2011 08:46:17 AM FILED/CERT

Shelby County, AL 11/18/2011
State of Alabama
Deed Tax: \$225.50

11-5800