

THIS INSTRUMENT WAS PREPARED BY: 1364
MIKE T. ATCHISON, ATTORNEY AT LAW
POST OFFICE BOX 822
COLUMBIANA, ALABAMA 35051

STATE OF ALABAMA
SHELBY COUNTY

SEND TAX NOTICE TO: BBB Builders
Post Office Box ~~57054~~ 76064
Birmingham, Alabama 35209 35253

KNOW ALL MEN BY THESE PRESENTS, That in Consideration of Ten and no/100 Dollars and other good and valuable consideration to the undersigned grantor, INVESTMENT SOUTHEASTERN, LTD., a Georgia Limited Partnership, in hand paid by BBB Builders, the receipt of which is hereby acknowledged, the said INVESTMENT SOUTHEASTERN, LTD., a Georgia Limited Partnership, does by these presents, grant, bargain, sell and convey unto the said BBB Builders, the following described real estate, situated in Shelby County, Alabama, to-wit:

Lot 5, according to Map of Cahaba Park South, as recorded in Map Book 9, Page 164, in the Probate Office of Shelby County, Alabama.
Situated in Shelby County, Alabama.

Title to this property is hereby conveyed subject to those exceptions set forth in Exhibit "A", attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD, to the said BBB Builders, its successors and assigns forever.

And said INVESTMENT SOUTHEASTERN, LTD., a Georgia Limited Partnership does for itself, its successors and assigns, covenant with said BBB Builders, its successors and assigns, that except as set forth in Exhibit "A", attached hereto, it is lawfully seized in fee simple of said premises, that said premises are free from all encumbrances, that it has a good right to sell and convey the same as aforesaid, and that it will, and its successors and assigns shall, warrant and defend the same to the said BBB Builders, its successors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said INVESTMENT SOUTHEASTERN, LTD., a Georgia Limited Partnership by PLAZA DEVELOPMENTS, INC., its general partner, who is authorized to execute this conveyance, has hereto set its signature and seal, this the 1st day of May, 1987.

INVESTMENT SOUTHEASTERN, LTD.

by: PLAZA DEVELOPMENTS, INC.
Its General Partner

BY: L. H. Hearn
L. H. Hearn President

BOOK 131 PAGE 16

STATE OF GEORGIA
COUNTY OF FULTON

I, the undersigned authority, a Notary Public, in and for said County, in said State, hereby certify that L. H. Hearn, whose name as President of PLAZA DEVELOPMENTS, INC., General Partner of INVESTMENT SOUTHEASTERN, LTD., a Georgia Limited Partnership, 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, he in his capacity as such officer and with full authority, executed the same voluntarily for and as the act of said partnership.

Given under my hand and official seal, this the 1st day of May, 1987.

My commission expires:

Notary Public
My Commission

Notary Public

EXHIBIT "A"
Exceptions

1. Ad valorem taxes for the tax year commencing October 1, 1986, which are not due and payable until October 1, 1987.
2. Transmission line permit to Alabama Power Company recorded in Deed Book 285, Page 802, and in Deed Book 347, Page 105, in the Probate Office of Shelby County;
3. Restrictions and Covenants contained in Covenant and Agreement dated August 20, 1985, by and among the Water Works Board of the City of Birmingham (the "Water Works"), Investment Southeastern, Ltd. ("ISE"), 280 Associates, Ltd. ("280"), and Kovach-Eddleman Properties ("KEP"), recorded in the Office of the Judge of Probate of Shelby County, in Real Volume 069, Page 393.
4. Restrictions and Covenants contained in Declaration of Protective Covenants and Agreements dated April 16, 1985, of 280 and KEP, recorded in Real Volume 37, Page 96, as amended by that Amendment to Declaration of Covenants dated August 7, 1985, recorded in Real Volume 51, Page 996, Probate Office of Shelby County, Alabama.
5. Signage, Landscaping, and other Covenants and Restrictions contained in August 12, 1985, letter to Shelby County Planning Commission from Horizon 280 Associates and approved by ISE;
6. Restrictions and Covenants contained in Declaration of Easements of ISE dated April 7, 1986, recorded in Real Volume 71, Page 925, Probate Office of Shelby County, Alabama, the obligations of grantor with respect to which Declaration in regard to the property conveyed by this deed, grantee hereby assumes by accepting this deed.
7. Easement for storm sewer to 280, recorded in Real Volume 71, Page 994, Probate Office of Shelby County, Alabama.
8. Restrictions and Covenants in Agreement dated August 7, 1985 between ISE, KEP and 280, recorded in Real Volume 38, Page 71, Probate Office of Shelby County, Alabama.
9. Restrictions and Covenants contained in Reciprocal Easement Agreement dated August 7, 1985 between ISE, KEP and 280, recorded in Real Volume 38, Page 59, Probate Office of Shelby County, Alabama.
10. Utility Easements for utilities serving the property and other property in the subdivision of which the property is a part, including without limitation:
 - (a) Sanitary Sewer Easement in favor of Cahaba Water Renovation Systems, Inc. dated April 16, 1986, recorded in Real Volume 72, Page 01, Probate Office of Shelby County, Alabama.
 - (b) Easement in favor of Alabama Power Company dated February 7, 1986, recorded in Real Volume 67, Page 559, Probate Office of Shelby County;
 - (c) Easements for underground gas, water and telephone utilities as well as storm and sanitary sewer within areas reserved for easements as reflected on Map of Cahaba Park South, recorded in Map Book 9, Page 164, Probate Office of Shelby County, Alabama.
11. Restrictions and Covenants contained in Declaration of Protective Covenants and Agreements dated September 30, 1985, of ISE, recorded in Real Volume 71, Page 931, Probate Office of Shelby County, Alabama.
12. Sewer easement granted Kovach and Eddleman, an Alabama general partnership by instrument recorded in Real Book 73, Page 986, in the Probate Office of Shelby County, Alabama.
13. Declaration of Restrictive Covenant, dated August 8, 1986, as recorded in Real Record 087, Page 640, in Probate Office of Shelby County, Alabama.
14. Declaration of Restrictive Covenant, dated August 8, 1986, as recorded in Real Record 087, Page 644, in Probate Office of Shelby County, Alabama.
15. Transmission line permit to Alabama Power Company recorded in Real Record 114, Page 111, in Probate Office of Shelby County, Alabama.

BOOK 131 PAGE 17

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED

1987 MAY 18 AM 9:10

Thomas C. [Signature]
JUDGE OF PROBATE

1. Deed Tax \$ 56.00
2. Mtg. Tax
3. Recording Fee 5.00
4. Indexing Fee 1.00
TOTAL 62.00

2418