

725  
McKnight & Wirtes  
22 Inverness Center Parkway  
Suite 610  
Birmingham, Alabama 35243  
(205) 995-9665

STATE OF ALABAMA     )  
JEFFERSON COUNTY    )

GENERAL WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS: That in consideration of:

*ant*  
The sum of Twenty Five Thousand Five  
Hundred Fifty Six and no/100 Dollars  
(\$25,556.00) the undersigned Brookhaven  
Properties III, Inc. (hereinafter  
referred to as ("Grantor") in hand paid  
by Smyer Building Corporation  
(hereinafter referred to as the  
"Grantee"), the receipt of which is  
hereby acknowledged;

the said Grantor does by these presents, grant, bargain,  
sell, and convey unto the Grantee herein the following  
described real estate situated in Shelby County, Alabama,  
to-wit:

Lot 44, according to the survey of  
Brookhaven, Sector 3, as recorded in Map  
Book 11, Page 35 in the Probate Office  
of Shelby County, Alabama.

This conveyance is subject to the following  
restrictions:

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1. General and special taxes for the current year and  
subsequent years.
  2. Title to all minerals within and underlying the  
premises, together with all mining rights and other rights,  
privileges and immunities relating thereto, together with  
any release of liability for injury or damage to persons or  
property as a result of the exercise of such rights as  
recorded in Deed Volume 121, Page 294; Deed Book 127, Page  
140; Deed Book 111, Page 625; Deed Book 181, Page 385; Deed  
Book 233, Page 505; Deed Book 223, Page 274 and Deed Book  
321, Page 624.
  3. Right of Way granted to Alabama Power Company by  
instrument(s) recorded in Map Book 102, Pages 53 and 55;

Book 104, Page 213; Deed Book 107, Page 121; Book 161, Page 493; Book 103, Page 43; and Book 273, Page 814.

4. Flood easement as shown by instruments recorded in Probate Office of Shelby County, Alabama, as follows: Deed Book 284, Pages 881 and 885 and Deed Book 285, Page 54.

5. Right of Way granted to Shelby County, by instrument recorded in Misc. Book 1, Page 534 and Misc. Book 3, Page 276.

6. Right of Way granted to South Central Bell Telephone Company by instrument(s) recorded in Deed Book 320, Page 928, Shelby County, Alabama.

7. 35 foot building line from Hillandale Drive; a drainage easement of undetermined width along the northeast lot line, as shown by recorded map.

The property being conveyed hereby is not now nor has it ever been the homestead property of the Grantor.

TO HAVE AND TO HOLD to said Grantee, Smyer Building Corporation, its successors and assigns forever.

And the Grantor does, for itself, and its heirs, legal representatives, successors and assigns, covenant with the said Grantee, its successors and assigns, that the Grantor is lawfully seized in fee simple of said premises; that they are free from all encumbrances except as set forth above; that the Grantor 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 same to the said Grantee, Smyer Building Corporation, its successors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said Grantor, Brookhaven Properties III, Inc., caused this conveyance to be executed this the 21<sup>st</sup> day of August, 1987.

Albert F. Thomasson  
Brookhaven Properties III, Inc.  
By: Albert F. Thomasson,  
President

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STATE OF ALABAMA }

JEFFERSON COUNTY }

I, the undersigned authority, in and for said county in said state, hereby certify that Albert F. Thomasson as President of Brookhaven Properties III, Inc., is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument he, as such officer, executed the same voluntarily on behalf of said corporation on the day the same bears date.

Given under my hand and official seal this 21st day of August, 1987.

Heather Hunter  
Notary Public

MY COMMISSION EXPIRES OCTOBER 31, 1990

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

1987 DEC 11 PM 3:28

Thomas A. Snowling  
JUDGE OF PROBATE

1. Deed Tax	\$ <u>26.00</u>
2. Mtg. Tax	
3. Recording Fee	<u>7.50</u>
4. Indexing Fee	<u>1.00</u>
TOTAL	<u>34.50</u>

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