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This instrument prepared by:

William S. Brewbaker III  
Wallace, Brooke & Byers  
2000 SouthBridge Parkway  
Suite 525  
Birmingham, Alabama 35209

STATE OF ALABAMA )  
SHELBY COUNTY )

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS: That, in consideration of the sum of Two Hundred Eighty-Eight Thousand Nine Hundred Ninety and No/100 Dollars (\$288,990.00), to the undersigned grantors, in hand paid by the grantee herein, the receipt of which is hereby acknowledged, we, Roy T. Preston, M.D. and wife, Margie A. Preston (herein referred to as "Grantor") do hereby grant, bargain, sell and convey unto David F. Byers, a married man (herein referred to as "Grantee") all that real estate situated in Shelby County, Alabama, and described on Exhibit A hereto.


Less, except and subject to any and all easements, liens, encumbrances, rights of way or other matters of record including, but not limited to, that certain Mortgage in the original principal amount of \$188,990.00 executed by Roy T. Preston, M.D., and wife, Margie A. Preston, as Mortgagor, in favor of Thomas W. Stubbs, Jr. and wife, LuJuana Snowden Stubbs, as Mortgagee, dated November 7, 1988, and filed in the Office of the Judge of Probate of Shelby County, Alabama at Volume 213, Page 719.

Grantor hereby reserves as an easement through the property conveyed hereby, that strip of property described on Exhibit B hereto, and hereby reserves the right to construct, maintain and use a driveway or roadway along said easement to the satisfaction of and in the sole discretion of Grantor.

TO HAVE AND TO HOLD to the said Grantee, his heirs and assigns forever.

And we do for ourselves and for our heirs, executors, and administrators covenant with the said Grantee, his 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 Grantee, his heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this 10<sup>th</sup> day of January, 1989.

  
\_\_\_\_\_  
Roy T. Preston (SEAL)

  
\_\_\_\_\_  
Margie A. Preston (SEAL)

STATE OF ALABAMA )  
COUNTY OF )

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Roy T. Preston, whose name 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 executed the same

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voluntarily on the day the same bears date.

Given under my hand this 10th day of January, 1989.

Hilary  
NOTARY PUBLIC

[SEAL]

My Commission Expires: 8/8/89

STATE OF ALABAMA     )  
COUNTY OF             )

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Margie A. Preston, whose name 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, she executed the same voluntarily on the day the same bears date.

Given under my hand this 10th day of January, 1989.

Hilary  
NOTARY PUBLIC

[SEAL]

My Commission Expires: 8/8/89

Send tax notice to: David F. Byers  
Rt. 1, Box 605  
Leeds, Alabama 35094

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

89 APR 27 AM 10:10

Thomas A. Snowdon, Jr.  
JUDGE OF PROBATE

1. Land Tax	\$ 100.00
2. Mig. Tax	
3. Recording Fee	5.00
4. Indexing Fee	2.00
TOTAL	107.00