

609

SEND TAX NOTICES TO:  
Wayne Dutton Construction, Inc.  
Route 1, Box 168  
Randolph, Alabama 36792

WARRANTY DEED

STATE OF ALABAMA     )  
                              )  
SHELBY COUNTY         )

KNOW ALL MEN BY THESE PRESENTS:

This Deed is made by and between Moore Development, Inc., an Alabama corporation, hereinafter called "Grantor," and Wayne Dutton Construction, Inc., hereinafter called "Grantee".

The Grantor, for and in consideration of Thirty Seven Thousand and 00/100 (\$37,000.00) Dollars in hand paid by the Grantee, the receipt of which is hereby acknowledged, does hereby grant, bargain, convey and sell to Grantee the following described real estate located in Shelby County, Alabama to-wit:

Lot 43, according to Amended Map of Hickory Ridge Subdivision as recorded in Map Book 11 Page 79, Probate Office, Shelby County, Alabama

SUBJECT TO:

1. Easements, conditions, restrictions, set-back lines, right-of-ways and limitations of record including those shown on the recorded survey, and also the Restrictions recorded in Real Record 153 beginning at Page 992, and amended by Amendment recorded in Real Record 262, Page 764 and Restated in Real Record 262, Page 766, in the office aforesaid.
2. Grantee acknowledges that it is aware that the property within the Hickory Ridge Subdivision including lots and streets is located in an area where sinkholes have occurred, and that neither Grantor, Shelby County nor anyone affiliated with the Grantor or Shelby County make any representations that the Subdivision lots and streets are safe or are suitable for residential construction. Grantee for itself, its successors and assigns does forever release Grantor from any damages arising out of surface or subsurface conditions of the property. This release shall constitute a covenant running with the land conveyed hereby, as against Grantee, and all persons, firms and others holding under or through Grantee.
3. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto, including rights set out in Real Record 108, Page 150 with release of damages, in the office aforesaid.
4. 35-Foot building set back line from Longleaf Lane as shown on recorded map of said subdivision.

RITCHIE AND REDIKER

*Colonial Bank*

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5. 7.5-foot utility easement across the Rear side, and 15-foot utility easement across the West side of said lot as shown on recorded map of said subdivision.
6. Transmission line permits to Alabama Power Company as recorded in Deed Book 139, Page 140, Deed Book 316, Page 465, Deed Book 326, Page 126, in the office aforesaid.
7. Easement to The Water Works and Sewer Board of the City of Birmingham, as recorded in Real Record 144, Page 878, in the office aforesaid.
8. Agreement with Alabama Power Company as recorded in Real Record 158, Page 720 in the office aforesaid.
9. Easement to Alabama Power Company as recorded in Real Record 158, Page 723 in the office aforesaid.
10. Right of Way to Alabama Power Company as recorded in Real 167, Page 406 in the office aforesaid.

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

And Grantor does for itself and its successors and assigns covenant with the said Grantee, its successors and assigns that it is lawfully seized in fee simple of said premises; that it is free from all encumbrances, unless otherwise noted above; that it has a good right to sell and convey the same as aforesaid; that it will and its successors and assigns shall warrant and defend the same to the said Grantee, its successors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, Moore Development, Inc. has caused this conveyance to be signed by and through its President, Donald B. Moore, who is authorized to execute this conveyance, on this the 3rd day of November, 1989.

MOORE DEVELOPMENT, INC.  
an Alabama corporation

By:

  
Donald B. Moore, its President

**ACKNOWLEDGEMENT**

STATE OF ALABAMA     )  
                              )  
JEFFERSON COUNTY    )

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Donald B. Moore, whose name as President of Moore Development, Inc., an Alabama 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, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal, this the 3rd day of November, 1989.

Donna F. Demetree  
Notary Public

My Commission Expires: 6/19/93

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1. Deed Tax -----	\$ 37.00
2. Imp. Tax -----	\$
3. Recording Fee -----	\$ 7.50
4. Inst. Fee -----	\$ 3.00
5. Notary Fee -----	\$
6. Certification Fee -----	\$ 1.00
Total -----	\$ 48.50

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

89 DEC 11 PM 12:25

Thomas A. Snowdon, Jr.  
JUDGE OF PROBATE

This conveyance was prepared by: Thomas A. Ritchie, Ritchie and Rediker, Attorneys at Law, 312 North 23rd Street, Birmingham, Alabama, 35203.