

SEND TAX NOTICE TO:

(Name) Thomas G. & Dolores A. Vernarsky

(Address) 4236 Ashington Drive
Birmingham, Alabama 35242

This instrument was prepared by

(Name) Michael J. Romeo, Attorney at Law

(Address) 15 Office Park Circle Suite 100 Birmingham, AL 35223

FM No. ATC 27 Rev. 5/82

WARRANTY DEED, JOINT TENANTS WITH RIGHT OF SURVIVORSHIP - ALABAMA TITLE CO., INC., Birmingham, AL.

STATE OF ALABAMA

Shelby

COUNTY }

KNOW ALL MEN BY THESE PRESENTS,

That in consideration of Three hundred thirteen thousand (\$313,000.00) DOLLARS

to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt whereof is acknowledged, we,

William Kamrath Barnard and Tracey M. Barnard, husband and wife

(herein referred to as grantors) do grant, bargain, sell and convey unto

Thomas G. Vernarsky and Dolores A. Vernarsky, husband and wife

(herein referred to as GRANTEES) as joint tenants, with right of survivorship, the following described real estate situated in

Shelby County, Alabama to-wit:

Lot 234, according to the Survey of Brook Highland, an Eddleman Community, 6th Sector, 2nd Phase, as recorded in Map Book 15, Page 50 in the Probate Office of Shelby County, Alabama.

Subject To:

1. Ad Valorem Taxes due and payable October 1st, 1995.
2. 25 foot building line as shown by recorded Map.
3. Public utility easements as shown by recorded map.
4. Declaration of Protective Covenants for the "Watershed Property", which provides, among other things, for an Association to be formed to assess and maintain the Watershed Maintenance Areas, etc. of the development; all of said covenants, restrictions and conditions being recorded in Real 194, page 34, in the Probate Office of Shelby County, Alabama.
5. Declaration of Protective Covenants, Agreements, Easements, Charges and Liens for Brook Highland, as set out in instrument recorded in Real 194, page 234 in Probate Office, along with Articles of Incorporation of Brook Highland Homeowner's Association, Inc. as recorded in Real 194, page 181 and By-Laws of Brook Highland Homeowner's Association, Inc. as recorded in Real 194, page 287 in said Probate Office, and amended in Real 228, page 882; Real 228, page 884; Real 255, page 131; Real 263, page 604; Real 311, page 78 and Supplemental Declaration of Protective Covenants of Brook Highland, an Eddleman Community, 6th Sector, 2nd Phase, recorded in Real 353, page 968 in the Probate Office of Shelby County, Alabama.
6. A non-exclusive Easement and Agreement between Eddleman and Associates and The Water Works Board of the City of Birmingham dated 7-11-88, and recorded in Real 194, page 20 and Real 194, page 43 in the Probate Office of Shelby County, Alabama.
7. Easement and Agreements for the Public Employees Retirement System of Ohio and the Water Works Board of the City of Birmingham, recorded in Real 194, page 1 and Real 194, page 40, in the Probate Office of Shelby County, Alabama.
8. Drainage Agreement for the Public Employees Retirement System of Ohio and Eddleman and Associates recorded in Real 228, page 238, in the Probate Office of Shelby County, Alabama.

TO HAVE AND TO HOLD unto the said GRANTEES 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.

And I (we) do for myself (ourselves) and for my (our) heirs, executors, and administrators covenant with the said GRANTEES, their heirs and assigns, that I am (we are) lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that I (we) have a good right to sell and convey the same as aforesaid; that I (we) will and my (our) heirs, executors and administrators shall warrant and defend the same to the said GRANTEES, their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, WE have hereunto set OUR hand(s) and seal(s), this 31st

day of July, 19 95

WITNESS:

(Seal)

William Kamrath Barnard

(Seal)

(Seal)

Tracey M. Barnard

(Seal)

(Seal)

Tracey M. Barnard

(Seal)

STATE OF ALABAMA

Shelby

COUNTY }

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that William Kamrath Barnard and Tracey M. Barnard, husband and wife whose name are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 31st day of July, 19 95

Notary Public

Inst # 1995-21488

08/08/1995-21488
1:11 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 MCD 43.00

SEE REVERSE SIDE.

SUBJECT TO: (continued)

9. Reciprocal Easement Agreement for the Public Employees Retirement System of Ohio and Eddleman and Associates as recorded in Real 125, page 249 and Real 199, page 18, in the Probate Office of Shelby County, Alabama.
10. Mineral and mining rights and rights incident thereto recorded in Deed Book 32, page 48 and Deed Book 121, page 294, in the Probate Office of Shelby County, Alabama.
11. Restrictive Covenants regarding Alabama Power Company recorded in Real 181, page 995 in the Probate Office of Shelby County, Alabama.
12. NOTE: Map Book 15, page 50 shows the following reservation:
Sink Hole Prone Areas-The Subdivision shown hereon including lots and streets, lies in an area where natural lime sinks may occur. Shelby County, the Shelby County Engineer, the Shelby County Planning Commissioner and the individual members thereof and all other agents, servants or employees of Shelby County, Alabama, make no representations that the subdivision lots and street are safe or suitable for residential construction, or for any other purpose whatsoever. "Area underlain by limestone and thus may be subject to lime sink activity"
13. Restrictions as shown by recorded Map.
14. Mineral and mining rights and rights incident thereto and Release of Damages recorded in Real 358, page 967, in the Probate Office of Shelby County, Alabama.

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11:11 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
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