

THIS INSTRUMENT PREPARED BY:  
**JAMES R. MONCUS, JR.**  
Attorney at Law  
1318 Alford Avenue, Suite 102  
Birmingham, Alabama 35226

SEND TAX NOTICE TO:

Samuel S. Maniscalco  
1020 HEVY DRIVE  
ALABASTER, AL. 35007

Inst # 1995-33931

**STATUTORY WARRANTY DEED**

STATE OF ALABAMA )

JEFFERSON COUNTY )

KNOW ALL MEN BY THESE PRESENTS, that in consideration of Seventy One Thousand Two Hundred Fifty and no/100 Dollars (\$71,250.00) to the undersigned Grantor

**INDIAN RIDGE COMPANY, L.L.C.**

an Alabama Limited Liability Company (herein referred to as Grantor), in hand paid by the Grantee herein, the receipt of which is hereby acknowledged, the said Grantor does by these presents, grant, bargain, sell and convey unto

**SAMUEL S. MANISCALCO AND RICHARD N. COWDEN**

(herein referred to as Grantee whether one or more) the following described real estate, situated in Shelby County, Alabama, to-wit:

Lot 17, according to the Survey of Cahaba Oaks, as recorded in Map Book 18, Page 141, in the Probate Shelby County, Alabama.

The conveyance of this property is made subject to the following exceptions:

- (i) Mineral and mining rights not owned by the Grantor;
- (ii) Easements, Rights-of-Way, set back lines and building lines of record;
- (iii) Declaration of Protective Covenants for Cahaba Oaks Subdivision as recorded in Instrument #1994-26703 in the Probate Office of Shelby County, Alabama.

By Grantee acceptance of this deed, Grantee hereby covenant and agree for themselves and their successors, assigns, licensees, lessees, employees and agents that Grantor shall not be liable for, and no action shall be asserted against grantor for loss or damage on account of injuries to the property or to any buildings, improvements or structures now or hereafter located upon the property or on account of injuries to any owner, occupant, or other person in or upon the property, which are caused by, or arise as a result of, past or future soil and/or subsurface conditions, known or unknown, (including, without limitations, sinkholes, underground mines, and limestone formations) under or on the property or any other property now or hereafter owned by Grantor, whether contiguous or non-contiguous to the property. For

11/27/1995-33931  
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SHELBY COUNTY JUDGE OF PROBATE  
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purpose of this paragraph the terms Grantor shall mean and refer to (i) the partners, agents, and employees of Grantor; (ii) the officers, directors, employees and agents of Grantor, and partners thereof; (iii) any successors or assigns of Grantor; and (iv) any successors and assigns of Grantors interest in the property. This covenant and agreement shall run with the land conveyed hereby as against Grantee, and all persons, firms, trusts, partnerships, and limited partnerships, corporations, or other entities holding under or through the Grantee.

  
GRANTEE  
SAMUEL S. MANISCALCO

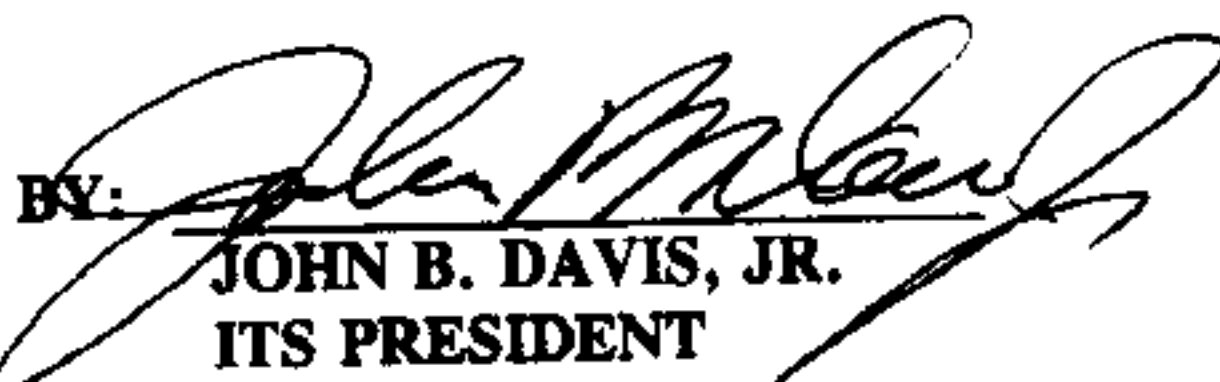
  
GRANTEE  
RICHARD N. COWDEN

And the Grantor will warrant and defend the right and title to the above described property into the Grantee against the claims of the Grantor and all persons claiming by, through or under Grantor, but not against the claims of any others.

IN WITNESS WHEREOF, the Grantor, by its duly authorized Partner/Member, Webada, Inc., and by its President, John B. Davis, Jr., have signed and sealed this Deed on this the 13th day of November, 1995. Said Partner/Member by its President hereby warrants and represents that it is duly authorized under its Operating Agreement and pursuant to a formal resolution of the company to execute and deliver this deed to the Grantee on behalf of the Grantor.

INDIAN RIDGE COMPANY, L.L.C.

BY WEBADA, INC.  
ITS AUTHORIZED PARTNER/MEMBER

BY:   
JOHN B. DAVIS, JR.  
ITS PRESIDENT

STATE OF ALABAMA )

JEFFERSON COUNTY )

I, the undersigned authority, a Notary Public, in and for said county in said state, hereby certify that WEBADA, INC., an Alabama Corporation (and executed by John B. Davis, Jr., its President), whose name as Partner/Member of INDIAN RIDGE COMPANY, L.L.C., an Alabama Limited Liability Company, and whose name 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 Partner/Member, and with full authority, executed the same voluntarily for and as the act for said Company.

Given under my hand and official seal this the 13th day of November, 1995.

  
Notary Public

My Commission Expires: 2/23/96

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