

The entire consideration of the purchase price recited below was paid from a mortgage loan filed simultaneously herewith.

THIS INSTRUMENT PREPARED BY:

SEND TAX NOTICE TO:

JAMES R. MONCUS, JR.  
1313 ALFORD AVENUE  
BIRMINGHAM, ALABAMA 35226

Inst # 2001-13262

STATE OF ALABAMA     )  
JEFFERSON COUNTY     )

04/09/2001-13262  
10:56 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 DLH 15.00

**STATUTORY WARRANTY DEED**

KNOW ALL MEN BY THESE PRESENTS:

That for and in consideration of One Hundred Seventeen Thousand Eight Hundred and No/100 Dollars (\$117,800.00) and other good and valuable consideration to the undersigned Grantor in hand paid by the Grantee herein, the receipt whereof is acknowledged, JIM BAILEY, INC., an Alabama Corporation (Grantor) does grant, bargain, sell and convey unto M. E. PADGETT CONSTRUCTION COMPANY, INC. (Grantee) the following described real estate situated in Shelby County, Alabama, to-wit:

Lots 4 and 5, according to Bailey's Addition to Riverchase, as recorded in Map Book 28, Page 19, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

Subject to:

1. Easements, restrictions, covenants, rights-of-way and covenants of record.
2. Building setback line of 25 feet reserved from Fox Creek Circle as show on plat.
3. Joint Driveway Agreement as set out in Misc. Book 30, Page 791 and Misc. Book 34, Page 67 in the Probate Office.

TO HAVE AND TO HOLD the same unto the Grantee, its successors and assigns, forever.

Grantee understands that acceptance of this deed constitutes acceptance of all the terms, conditions and obligations of all protective covenants and restrictions as referred to above, and executes same to so acknowledge.

"Grantee has made its own independent inspections and investigations of the Property, and in taking the Property "as is" and based solely upon and in reliance upon such inspections and investigations of the Property. Grantor makes no representation, warranty or agreement concerning the conditions of the Property, the soil or the sub-soil. Grantee, for itself and its heirs, successors and assigns, waives all claims, present and future, against Grantor based upon or in connection with the condition of the Property, the soil or the sub-soil, including but not limited to any underground mines, tunnels, or sinkholes, and hereby releases Grantor from any liability whatsoever with respect thereto."

IN WITNESS WHEREOF, JIM BAILEY, INC., by its President, Jim Bailey, who is authorized to execute this conveyance, has hereto set his respective signature and seal this the 3 day of ~~March~~ April, 2001.

JIM BAILEY, INC.

By: Jim Bailey  
Jim Bailey  
Its: President

M. E. PADGETT CONSTRUCTION COMPANY, INC.

By: M.E. Padgett Pres.  
Its: Pres.  
Grantee

STATE OF ALABAMA  
JEFFERSON COUNTY

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Jim Bailey, whose name as President of Jim Bailey, Inc., a 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 3<sup>rd</sup> day of April, 2001.

NOTARY PUBLIC

My Commission Expires: 2/23/2004

STATE OF ALABAMA  
JEFFERSON COUNTY

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that M.E. Padgett, whose name as President of M. E. Padgett Construction Company, Inc., a 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 4<sup>th</sup> day of April, 2001.

Linda Thompson  
NOTARY PUBLIC  
My Commission Expires: 6-30-03

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