20060911000449220 1/2 $52.00
Shelby Cnty Judge of Probate,AL
09/11/2006 03:06:57PM FILED/CERT

Shelby County, AL 09/11/2006
State of Alabama

Deed Tax:$38.00

NTC0600568

This Instrument Prepared By:

Stewart & Associates, P.C.
3595 Grandview Parkway #645
Birmingham, AL 35243

Send Tax Notice To:

JAMES ROBERT SMITH, IV
972 NARROWS PONT DRIVE
BIRMINGHAM, AL 35242

STATE OF ALABAMA)
COUNTY OF SHELBY)

STATUTORY WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that in consideration of One Hundred Eighty Seven Thousand Eight Hundred Thirty and 00/100 Dollars ($187,830.00) to the undersigned The Narrows II, Inc., an Alabama corporation ("Grantor"), in hand paid by, JAMES ROBERT SMITH, IV ("Grantee"), the receipt and sufficiency of which are hereby acknowledged, the said Grantor does by these presents, grant, bargain, sell and convey unto Grantee, the following described real estate, situated in Shelby County, Alabama, to-wit:

Lot 13, according to the Final Plat of Narrows Point-Phase 5, recorded in Map Book 35, Page 90 A & B, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

Together with the nonexclusive easement to use the Common Areas as more particularly described in The Narrows Residential Declaration of Covenants, Conditions and Restrictions recorded as Inst. #2000-9755 in the Probate Office of Shelby County, Alabama (which, together with all amendments thereto, is hereinafter collectively referred to as the "Declaration").

$150,250.00 of the consideration as was paid from the proceeds of a mortgage loan.

Subject to: (1) Ad valorem taxes due and payable October 1, 2006 and all subsequent years thereafter; (2) Fire district assessments for 2006 and subsequent years not yet due and payable; (3) Mineral and mining rights not owned by Grantor; (4) The easements, restrictions, covenants, agreements and all other terms and provisions of the Declaration of Covenants, Conditions and Restrictions recorded in Instrument #2000-9755, Instrument #2000-17136, Instrument #2000-36696, Instrument #2001-38328, Instrument #20020905000424180, Instrument #20021017000508250; and Instrument #20030716000450980 in the Probate Office of Shelby County, Alabama; (5) All easements, restrictions, reservations, agreements, rights-of-way, building setback lines and any other matters of record.

Grantee, by acceptance of this deed, acknowledges, covenants and agrees for itself and for its successors and assigns, that Grantor shall not be liable for and Grantee hereby waives and releases and forever discharges Grantor, its officers, agents, employees, directors, shareholders, partners, contractors, subcontractors, mortgagees and each of their respective successors and assigns, for any and all liability, claims and causes of action of any nature on account of loss, damage, or injuries to buildings, structures, improvements, personal property or to Grantee or any owner, occupants or other person who enters upon any portion of the Property as a result of or arising out of

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any past, present or future soil, surface and/or subsurface conditions known or unknown (including, without limitation, radon, sinkholes, underground mines, tunnels and limestone formations and deposits) under or upon the Property or any property surrounding, adjacent to or in close proximity with the Property .

IN WITNESS WHEREOF, the said The Narrows II, Inc., an Alabama corporation, by its CLOSING AGENT, KARA BOWMAN, who is authorized to execute this conveyance, has hereto set its signature and seal, this the 28TH day of August, 2006.

THE NARROWS II, INC., AN ALABAMA CORPORATION

By: Kara Bowman
KARA BOWMAN, CLOSING AGENT

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

I, the undersigned, a Notary Public in and for said County and State, hereby certify that KARA BOWMAN, whose name as CLOSING AGENT of The Narrows II, 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, she, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and seal this the 28th day of August, 2006.

Mary Pamela Short
Notary Public
My Commission Expires: 9-16-06

[SEAL] MARY PAMELA SHORT MY COMMISSION EXPIRES SEPTEMBER 16 2006 ALABAMA NOTARY PUBLIC