

Send tax notice to:

LESLEY F. DUKE
1309 MORNING SUN CIR
BIRMINGHAM, AL, 35242

This instrument prepared by:
CHARLES D. STEWART, JR.
Attorney at Law
4898 Valleydale Road, Suite A-2
Birmingham, Alabama 35242

STATE OF ALABAMA
Shelby COUNTY

2009550

WARRANTY DEED



20091005000377090 1/2 \$16.00
Shelby Cnty Judge of Probate, AL
10/05/2009 02:25:10 PM FILED/CERT

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of One Hundred Five Thousand Seven Hundred and 00/100 Dollars (\$105,700.00) in hand paid to the undersigned, GENISE B. METZGERF/K/A GENISE A. BUTCHER, a married woman not joined by spouse (hereinafter referred to as "Grantor") by LESLEY F. DUKE (hereinafter referred to as Grantee"), the receipt and sufficiency of which are hereby acknowledged, Grantors do, by these presents, grant, bargain, sell, and convey unto Grantee, the following described real estate situated in Shelby County, Alabama, to-wit:

UNIT 1309, IN HORIZON, A CONDOMINIUM, AS ESTABLISHED BY THAT CERTAIN DECLARATION OF CONDOMINIUM OF HORIZON, A CONDOMINIUM, WHICH IS RECORDED IN INSTRUMENT 2001-40927, TO WHICH DECLARATION OF CONDOMINIUM, A PLAN, IS ATTACHED AS EXHIBIT "A" THERETO, SAID PLAN BEING FILED FOR RECORD IN MAP BOOK 28, PAGE 141, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA, AND TO WHICH SAID DECLARATION OF CONDOMINIUM THE BY-LAWS OF THE HORIZON CONDOMINIUM ASSOCIATION, INC, IS ATTACHED AS EXHIBIT "D", TOGETHER WITH AN UNDIVIDED INTEREST IN THE COMMON ELEMENTS ASSIGNED TO SAID UNIT, AS SHOWN IN EXHIBIT "C" OF SAID DECLARATION OF CONDOMINIUM OF HORIZON, A CONDOMINIUM.

Subject property does not constitute the homestead of the grantor nor her respective spouse.

SUBJECT TO:

1. TAXES FOR THE YEAR BEGINNING OCTOBER 1, 2008 WHICH CONSTITUTES A LIEN BUT ARE NOT DUE AND PAYABLE UNTIL OCTOBER 1, 2009.
2. TITLE TO ALL OIL, GAS AND MINERALS WITHIN AND UNDERLYING THE PREMISES, TOGETHER WITH ALL OIL AND MINING RIGHTS AND OTHER RIGHTS, PRIVILEGES AND IMMUNITIES RELATING THERETO, TOGETHER WITH ANY RELEASE OF LIABILITY FOR INJURY OR DAMAGE TO PERSONS OR PROPERTY AS A RESULT OF THE EXERCISE OF SUCH RIGHTS AS RECORDED IN DEED BOOK 32, PAGE 48, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
3. RIGHT OF WAY TO ALABAMA POWER COMPANY AS RECORDED IN REAL BOOK 2, PAGE 792 AND REAL BOOK 2, PAGE 797, IN THE OFFICE OF THE JUDGE OF PROBATE OF SHELBY COUNTY, ALABAMA.
4. SUBJECT TO COVENANTS, CONDITIONS AND RESTRICTIONS AS SET FORTH IN THE DOCUMENT RECORDED IN MAP BOOK 28, PAGE 141 AND INSTRUMENT NO. 2001-40927 AND INSTRUMENT NO. 2001-40923, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
5. SUBJECT TO LIMITATIONS AND CONDITIONS IMPOSED BY THE CONDOMINIUM LAW OF ALABAMA AS SET OUT IN TITLE 35 CHAPTER 8, CONDOMINIUM OWNERSHIP ACT, ACTS 1964 1ST EXECUTIVE SESSIONS NO. 206, PAGES 266 AND ACTS 1973 NO. 1059, PAGE 1732, 1975 CODE OF ALABAMA.
6. RIGHTS OF OWNERS OF PROPERTY ADJOINING PROPERTY IN AND TO THE JOINT OR COMMON RIGHTS IN BUILDING SITUATED ON SAID LOTS, SUCH RIGHTS INCLUDE BUT ARE NOT LIMITED TO ROOF, FOUNDATIONS, PARTY WALLS, WALKWAYS AND ENTRANCE.

Shelby County, AL 10/05/2009

State of Alabama
Deed Tax : \$2.00

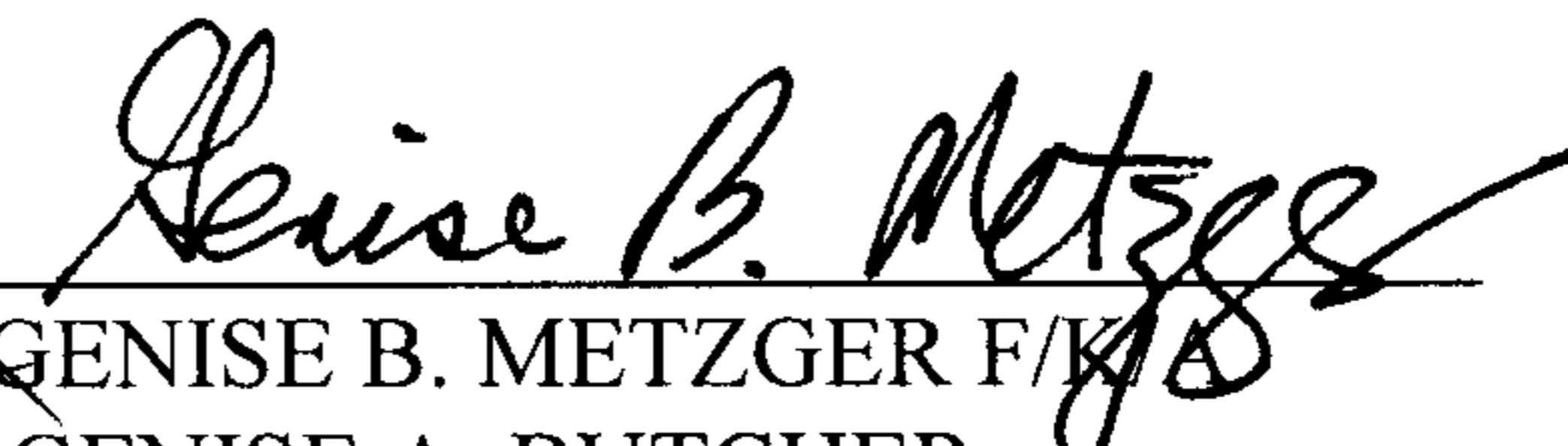


- 7. THE RIGHTS OF TENANTS ONLY, IN POSSESSION UNDER RESIDENTIAL LEASES, WITH NO OUTSTANDING OPTIONS TO PURCHASER OR RIGHTS OF FIRST REFUSAL.
- 8. TERMS AND PROVISIONS OF QUITCLAIM DEED WITH RESERVATION OF RIGHTS BETWEEN DANIEL U.S. PROPERTIES LIMITED PARTNERSHIP LTD. II AND DANIEL PROPERTIES XV LIMITED PARTNERSHIP RECORDED IN INSTRUMENT NO. 1994-03407.
- 9. STORM SEWER AND DRAINAGE EASEMENT BETWEEN DANIEL U.S. PROPERTIES, LTD. AND DANIEL PROPERTIES, XV, RECORDED IN REAL BOOK 86, PAGE 349.
- 10. SEWER LINE EASEMENT AND CONNECTION AGREEMENT AS RECORDED IN REAL BOOK 43, PAGE 611, AS MODIFIED IN REAL BOOK 86, PAGE 355 AND FURTHER MODIFIED IN INSTRUMENT NO. 1994-03407.
- 11. BUILDING AND SETBACK LINES OF 25 FEET AS RECORDED IN MAP BOOK 28, PAGE 141, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

\$103,785.00 OF THE CONSIDERATION AS WAS PAID FROM THE PROCEEDS OF A MORTGAGE LOAN.

TO HAVE AND TO HOLD unto the Grantee, its successors and assigns forever. The Grantor does for itself, its successors and assigns, covenant with the Grantee, its successors and assigns, that it is lawfully seized in fee simple of said premises; that they are free from all encumbrances, except as shown above; that it has a good right to sell and convey the same as aforesaid; and that it will, and its successors and assigns shall, warrant and defend the same to the Grantee, their heirs, executors, administrators and assigns forever against the lawful claims of all persons.

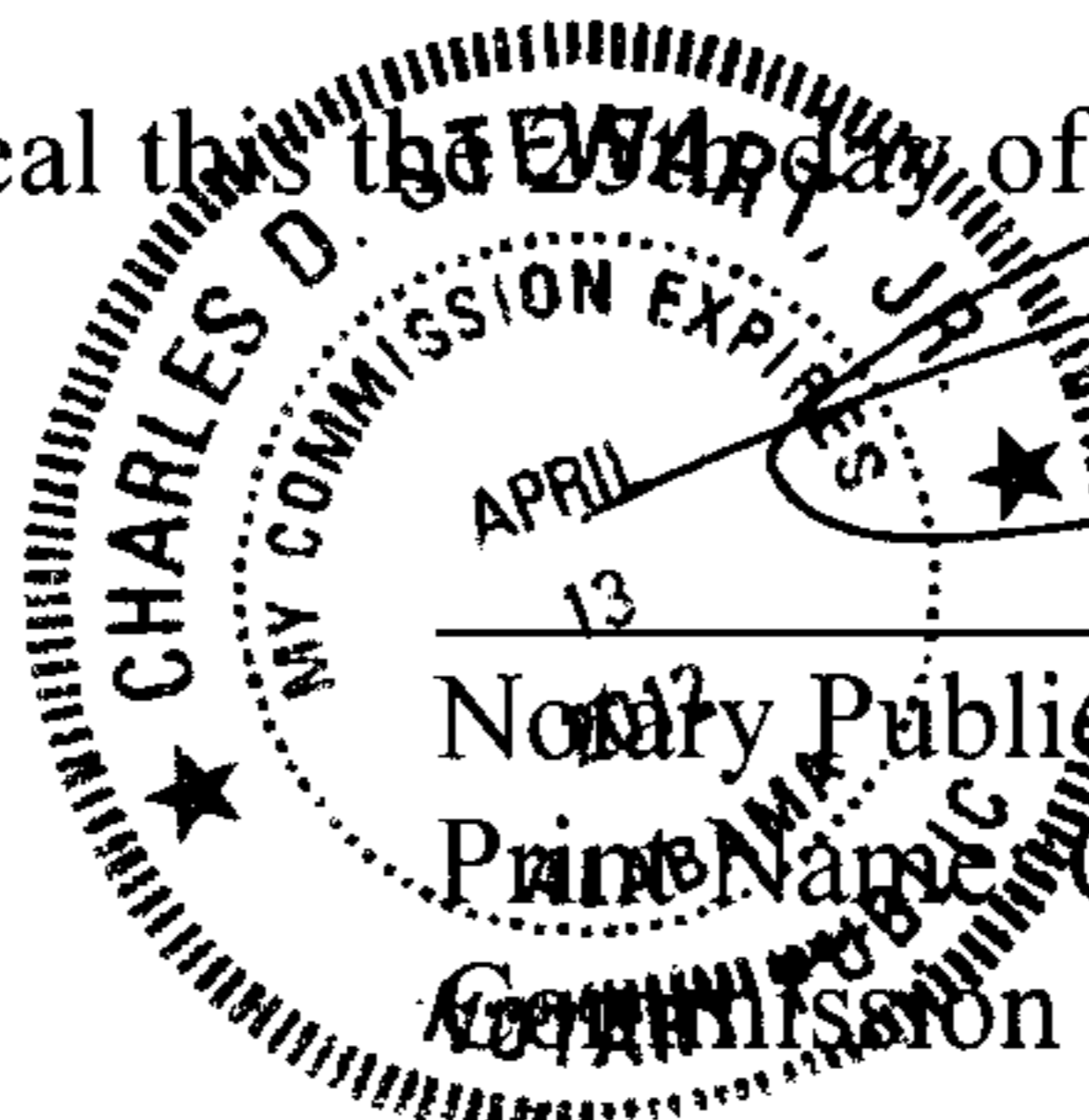
IN WITNESS WHEREOF, said Grantor, has hereunto set his/her hand and seal this the 25th day of September, 2009.


 GENISE B. METZGER F/K/A
 GENISE A. BUTCHER

STATE OF ALABAMA
COUNTY OF SHELBY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that GENISE B. METZGER F/K/A GENISE A. BUTCHER, whose names are signed to the foregoing instrument, and who are known to me, acknowledged before me on this day, that, being informed of the contents of the said instrument, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 25th day of September, 2009.


 Notary Public
 Print Name: Charles D. Stewart, Jr.
 Commission Expires: 04/13/12