

This instrument prepared by:  
Jeff G. Underwood, Attorney  
Sirote & Permutt P.C.  
2311 Highland Avenue South  
Birmingham, Alabama 35205

Send Tax Notice to:  
Donald Hayes

10 AUGUSTA WAY  
SHOAL CREEK, AL 35242

**SPECIAL WARRANTY DEED**

STATE OF ALABAMA

KNOW ALL MEN BY THESE PRESENTS,

SHELBY COUNTY

That in consideration of Eight hundred fifteen thousand and 00/100 Dollars (\$815,000.00) to the undersigned, Wachovia Mortgage Corporation, a corporation, (herein referred to as Grantor) in hand paid by the Grantee herein, the receipt whereof is acknowledged, the said Grantor does by these presents, grant, bargain, sell and convey unto Donald Hayes, (herein referred to as Grantee), the following described real estate situated in Shelby County, Alabama, to-wit:

Lot 151, according to the map of Shoal Creek Subdivision, as recorded in Map Book 6, Page 150, in the Probate Office of Shelby County, Alabama.

Subject to:

1. Any item disclosed on that certain policy of title insurance obtained in connection with this transaction.
2. Ad valorem Taxes for the current tax year, which Grantee herein assume and agree to pay.
3. Right-of-way granted to Alabama Power Company recorded in Deed Book 318, Page 597; Deed Book 318, Page 588; Deed Book 308, Page 651 and Real Volume 133, Page 599.
4. Terms, agreements and right of way to Alabama Power Company as recorded in Real Volume 298, Page 889.
5. Agreement with Alabama Power Company for Underground Residential Distribution as shown by instrument(s) recorded in Real Volume 298, Page 918; Misc. Volume 26, Page 746; Misc. Volume 26, Page 848 and Misc. Volume 21, Page 855.
6. Restrictions appearing of record in Misc. Volume 19, Page 861; Misc. Volume 23, Page 564; amended in Misc. Volume 23, Page 567; and further amended by Real Volume 370, Page 938; Second Amendment and restated restrictions recorded in Inst. No. 2009-392120.
7. Right-of-way granted to South Central Bell Telephone Company recorded in Deed Book 356, Page 420 and Real Volume 306, Page 242.
8. Right of way, easements and rights in connection therewith granted to The Water Works Board of the City of Birmingham in Deed Book 301, Page 298; Inst. No. 1998-3438 and Real Volume 116, Page 934.
9. Articles of Incorporation and By-Laws of Shoal Creek Association, Inc. in Misc. Volume 19, Page 861.
10. Restrictions as shown on recorded plat.

\*2010-001597\* \*SWD\*

20101221000428020 2/2 \$97.50  
Shelby Cnty Judge of Probate, AL  
12/21/2010 08:03:55 AM FILED/CERT

11. All outstanding rights of redemption in favor of all persons entitled to redeem the property from that certain mortgage foreclosure sale evidenced by mortgage foreclosure deed recorded in Instrument No. 20100406000103120, in the Probate Office of Shelby County, Alabama.

\$ 732,685.00 of the above consideration was paid from the proceeds of a mortgage loans closed simultaneously herewith.

This property is sold as is and grantor only warrants title from the time grantor obtained title until the date grantor conveys its interest in the aforesaid property to the grantee.

TO HAVE AND TO HOLD Unto the said Grantee, his/her heirs and assigns, forever.

IN WITNESS WHEREOF, the said Grantor, has hereto set its signature and seal, this the 20TH day of October, 2010.

Wachovia Mortgage Corporation

By: Melanie Hopke

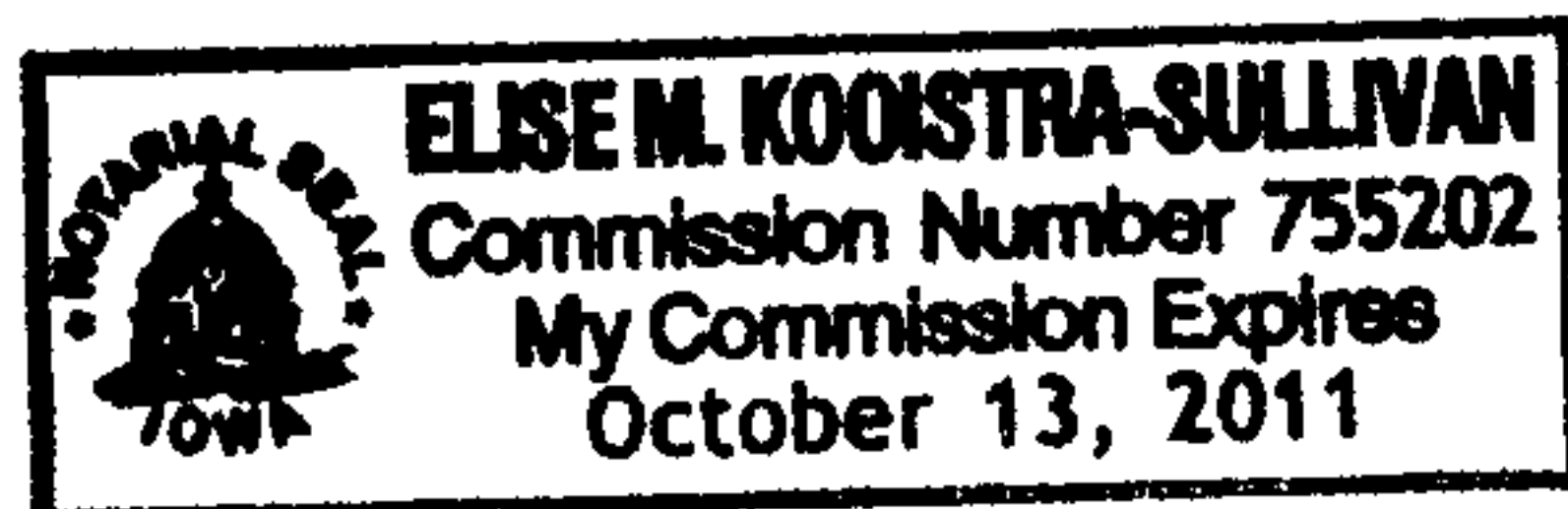
Its MELANIE HOPKE  
Vice President Loan Documentation

STATE OF Iowa

COUNTY OF Polk

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Melanie Hopke, whose name as VP of Wachovia Mortgage Corporation, 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/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 official seal, this the 20th day of October, 2010.



[Signature]  
NOTARY PUBLIC

My Commission expires:  
AFFIX SEAL

2010-001597

Shelby County, AL 12/21/2010  
State of Alabama  
Deed Tax: \$82.50