


924

STATE OF ALABAMA

COUNTIES OF JEFFERSON AND SHELBY

  
19811030000116010 Pg 1/3 .00  
Shelby Cnty Judge of Probate, AL  
10/30/1981 00:00:00 FILED/CERTIFIED

+ mls below

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That for the sum of One Dollar (\$1.00) and other good and valuable consideration to the undersigned Grantor, ALPINE BUILDERS, INC., a corporation, (the "Grantor"), in hand paid by METROBANK (the "Grantee"), the receipt and sufficiency of which is hereby acknowledged by Grantor, and in further consideration of the covenants, agreements, warranties and representations hereinafter set forth, the undersigned Grantor does by these presents, grant, bargain, sell, assign, transfer and convey unto Grantee, its successors and assigns, the real estate (the "Real Estate") described in Exhibit "A" attached hereto and expressly incorporated herein by reference and made a part hereof, situated in the Counties of Jefferson and Shelby, Alabama.

Grantor represents, warrants, covenants and agrees with Grantee as follows:

1. This deed is not, nor is it intended to be, a deed in lieu of foreclosure of the mortgages, but is instead an absolute deed for full, due, good, valuable and sufficient consideration.

2. No merger of title shall exist or occur as a result of this conveyance, and the mortgages shall remain outstanding, unaffected by this conveyance, securing the total indebtednesses, and the mortgages shall be subject to foreclosure according to their terms and under law by the holder thereof.

3. This conveyance is not given as a preference against other creditors of Grantor; and the indebtednesses are in excess of the fair market value of the property conveyed hereunder.

4. This deed is given as a result of Grantor's request that Grantee accept the same and constitutes Grantor's free and voluntary acts.

5. Grantor, in executing this deed, is not acting under any duress, undue influence, misapprehension or misrepresentation by Grantee, and it is the intention of Grantor to convey by this deed all of the Grantor's right, title and interest absolutely in and to the Real Estate,

This instrument prepared by:  
Harry B. Maring  
2125 Morris Avenue  
Birmingham, AL 35203

DENABURG, SCHOEL, MEYERSON, OGLE, ZARZAUR & MAX  
ATTORNEYS AT LAW  
2125 MORRIS AVE.  
BIRMINGHAM, ALABAMA  
35203

with no rights whatsoever remaining in Grantor or its successors, representatives, or assigns pertaining to said property.

This conveyance is made SUBJECT to the following:

(a) Mortgage recorded in Real 1829, page 508, Probate Office of Jefferson County, Alabama, as to Parcel I.

(b) Mortgage recorded in Real 373, page 659, Probate Office of Jefferson County, Alabama, Bessemer Division, as to Parcel II.

(c) Mortgage recorded in Volume 388, page 886, Probate Office of Shelby County, Alabama, and refiled in Real 373, page 659, Probate Office of Jefferson County, Alabama, Bessemer Division, as to Parcel III.

(d) Mortgage recorded in Volume 393, page 639, Probate Office of Shelby County, Alabama, as to Parcel IV.

(e) Those exceptions specified in Exhibit "A" hereto.

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

IN WITNESS WHEREOF, the Grantor has caused this deed to be executed by its duly authorized officers on this 9 day of October, 1981.

ATTEST:

By  
Its

James F. Taylor Jr.  
Vice-President

ALPINE BUILDERS, INC.

By  
Its

[Signature]  
President

STATE OF ALABAMA  
JEFFERSON COUNTY

I, the undersigned authority, a Notary Public in and for said state and county, hereby certify that B. H. GOGGINS, whose name as President of ALPINE BUILDERS, 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 said conveyance and with full authority, he executed the same on the day the same bears date,

Given under my hand and official seal this 9 day of October, 1981.

[Signature]  
Notary Public

MY COMMISSION EXPIRES OCTOBER 6, 1984

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BOOK



PARCEL I: Lot 2, in Block 5, according to the Map and Survey of Country Club Highlands of Hoover, First Sector, as recorded in Map Book 78, page 95, in the Probate Office of Jefferson County, Alabama.

Subject to:

1. A 45 foot building set back line over the Easterly side of subject property as shown by record plat.
2. Easements over the Westerly side of subject property as shown by record plat for public utilities.
3. Easements in favor of Alabama Power Company in Volume 6319, page 232, Birmingham Division and Volume 742, page 109, Bessemer Division.
4. Easements to Alabama Power Company and Southern Bell Telephone and Telegraph Company in Real Volume 320, page 354.
5. Restrictions recorded in Real Volume 60, page 499, Bessemer Division and Real Volume 319, page 977, Birmingham Division.
6. Easements to Jefferson County, Alabama in Real Volume 207, n. 957.
7. Mineral and mining rights and rights incidental thereto excepted in Volume 204, page 339 and Volume 640, page 453.

PARCEL II: Lot 12, according to Fourth Addition Riverchase Country Club Residential Subdivision as recorded in Map Book 21, page 8, in the Bessemer Division of the Probate Office of Jefferson County, Alabama.

Subject to:

1. 35 foot building line as shown by recorded map.
2. Easements on map.
3. Restrictions contained in Real 358, page 81 in the Bessemer Division of the Probate Office of Jefferson County, Alabama, and Real 1609, page 555, in the Birmingham Division of said Probate Office.
4. Restrictions contained in Real 348, page 49 and Real 348, page 822, in the Bessemer Division of said Probate Office.
5. Agreement with Alabama Power Company recorded in Real 358, page 84 in the Bessemer Division of said Probate Office, and Real 1609, page 548, in the Birmingham Division of said Probate Office.
6. Sanitary sewer agreement recorded in Real 1641, page 268, in the Birmingham Division of said Probate Office.

PARCEL III: Lot 53, according to the survey of the Third Addition to Riverchase Country Club, as recorded in Map Book 7, page 53, in the Probate Office of Shelby County, Alabama.

Subject to:

1. Building line as shown by recorded map.
2. Easement as shown by recorded map.
3. Agreement to Alabama Power Company recorded in Misc. Volume 23, page 626, in the Probate Office of Shelby County, Alabama.
4. Agreement and restrictions as recorded in Volume 318, page 286, in said Probate Office.
5. Restrictions recorded in Bessemer Real 348, page 49, Real 349, page 822, Real 348, page 837, Real 348, page 875, and Misc. Volume 22, page 762, in the Probate office of Shelby County, Alabama.

PARCEL IV: Lot 19, according to the survey of the Second Addition to Riverchase Country Club Residential Subdivision, as recorded in Map Book 7, page 121, in the Probate Office of Shelby County, Alabama.

Subject to:

1. 10' Easement on rear and north of Lot 53, as shown by recorded map.
2. Right of way to Alabama Power Company recorded in Volume 312, page 606, in the Probate Office of Shelby County, Alabama.
3. Agreement to Alabama Power Company recorded in Misc. Volume 25, page 614, in said Probate Office.
4. Restrictions contained in Misc. Volume 25, page 621; Misc. Volume 17, page 550; Misc. Volume 14, page 536, and Volume 323, page 631, in said Probate Office.
5. Mineral and mining rights and rights incident thereto recorded in Volume 127, page 140, in said Probate Office.

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STATE OF ALABAMA, SHELBY CO.  
TAX PAID  
1981 OCT 30 AM 8:53

Rec'd 4.50  
Jud 1.00  
5.50