

This Instrument Was Prepared By:
DANIEL M. SPITLER
Attorney at Law
108 Chandalar Drive
Pelham, Alabama 35124

MAIL TAX NOTICE TO:

689

WARRANTY DEED

STATE OF ALABAMA)

KNOW ALL MEN BY THESE PRESENTS,

SHELBY COUNTY)

That in consideration of TWENTY-ONE THOUSAND TWO HUNDRED THIRTY-SEVEN AND 50/100 DOLLARS (\$21,237.50) to the undersigned GRANTOR (whether one or more), in hand paid by the GRANTEE herein, the receipt whereof is acknowledged, I or we,

JAMES R. SHROYER

(herein referred to as GRANTOR, whether one or more), grant, bargain, sell and convey unto

DON KIRBY CONSTRUCTION, INC.

(herein referred to as GRANTEE, whether one or more), the following described real estate, situated in Shelby County, Alabama, to-wit:

Lot A, in Sector B, according to The Homestead, as recorded in Map Book 8, Page 167, in the Office of the Judge of Probate of Shelby County, Alabama.

SUBJECT TO: Transmission Line Permit in favor of Alabama Power Company, recorded in Deed Book 107, Page 531, Deed Book 142, Page 418; Deed Book 165, Page 116 and Deed Book 175, Page 284.

Transmission Line Permits in favor of Alabama Power Company by instruments recorded in Deed Book 133, Page 273 and Deed Book 105, page 81.

Easement to Southern Bell Telephone Company, dated June 21, 1968, recorded in said Probate Office in Deed Book 253, Page 829.

Excepting therefrom all property and rights acquired by Alabama Power Company in condemnation suit in the United States District Court of the Southern Division of the Northern District of Alabama, Civil Action No. CA 66-769, and excepting therefrom all rights or easements acquired by said Alabama Power Company in said condemnation suit to flood any part of said property lying below 403 feet above sea level.

Easement shown on recorded plat.

Restrictions appearing of record in Misc. Volume 57, Page 62, Real Volume 3, Page 840 and Book 30, Page 510.

Right of Way granted to Alabama Power Company by instruments recorded in Misc. Volume 57, Page 129; Real Volume 1, Page 359 and Real Volume 15, Page 897.

Right of Way granted to South Central Bell Telephone Company by instrument(s) recorded in Deed Book 351, Page 357.

TO HAVE AND TO HOLD to the said GRANTEE, his, her or their heirs and assigns forever.

And I (we) do, for myself (ourselves) and for my (our) heirs, executors and administrators, covenant with said GRANTEE, his, her or their heirs and assigns, that I am (we are) lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise stated above; that I (we) have a good right to sell and convey the same as aforesaid; that I (we) will, and my (our) heirs, executors and administrators shall warrant and defend the same to the said GRANTEE, his, her or their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, I (we) have hereunto set my (our) hand(s) and seal(s) this 4th day of December, 1985.

\$21,237.50 of the purchase price recited above was paid from mortgage loan closed simultaneously herewith.

STATE OF ALABAMA)
SHELBY COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that James R. Shroyer whose name is signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 4th day of December, 1985.

(NOTARIAL SEAL)

Notary Public

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED

1985 DEC 11 AM 8 46

JUDGE OF PROBATE