

This instrument prepared by:
W. Howard Donovan, III, Esq.
Attorney at Law
2019 3rd Avenue North, 3rd Floor
Birmingham, Alabama 35203

~~\$68,000~~

STATE OF ALABAMA)
SHELBY COUNTY)

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of Ten and 00/100 (\$10.00) Dollars and other good and valuable consideration in hand paid to the undersigned Grantor, ALTADENA WOODS PARTNERSHIP, an Alabama General Partnership ("Grantor"), by the Grantee herein, the receipt of which is hereby acknowledged, the said Grantor does by these presents, grant, bargain, sell and convey unto Mark Clark as to 1/3, Howard Donovan as to 1/3 Timothy P. Brunson as to 1/3 ("Grantee", whether one or more), the following described real estate, situated in Shelby County:

Lot(s) 39 and 40, 2nd Sector according to the Survey of Altadena Woods, 2nd and 5th Sector, as recorded in Map Book 10, Page 54, in the Probate Office of Shelby County, Alabama and in Map Book 151, Page 25, in the Probate Office of Jefferson County, Alabama.

This conveyance is subject to the following:

1. Ad valorem taxes for the year 1988, which said taxes are not due or payable until October 1, 1988.
2. Right of Way granted to Alabama Power Company by instrument(s) recorded in Volume 139, Page 571.
3. Title to all minerals within and underlying the premises together with all 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 Volume 72, Page 346
4. The reservation and condition that the Grantee, for itself and on behalf of its successors, assigns, contractors, permittees, licensees and lessees, hereby releases and forever discharges Grantor, its successors and assigns, from any and all liability, claims and causes of action whether arising at law (by contract or in tort) or in equity because of past or future subsidence, if any, of the land herein conveyed, and any and all damage or destruction of property and injury to or death of any person by reason of past mining and removal of minerals from the lands herein conveyed and/or adjacent and nearby lands.
5. Restrictions appearing of record in Real 098, Page 727, Office of the Judge of Probate of Shelby County, Alabama.
6. Fire dues payable to North Shelby Fire District, if any.

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

AND Grantor for itself and for its successors and assigns covenants with the said Grantee and its successors and assigns, that it is lawfully seized in fee simple of said premises; that they are free from all encumbrances unless otherwise noted above; that Grantor has a good right to sell and convey the same as aforesaid; that Grantor will and shall warrant and defend the same to the said Grantee, its successors or assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said Grantor herein sets its signature and seal, this 10 day of December, 1986.

DONOVAN, MCCORD & HOFFMAN, P.C.
ATTORNEYS AT LAW
2019 THIRD AVENUE NORTH
THIRD FLOOR
BIRMINGHAM, ALABAMA 35203
TELEPHONE (205) 252-2100

ALTADENA WOODS PARTNERSHIP
an Alabama General Partnership

By: [Signature]
Its Partner

\$68,000.00

BOOK 108 PAGE 174

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that John B. Davis Jr. whose name as Partner of Altadena Woods Partnership, an Alabama General Partnership, is signed to the foregoing warranty deed, and who is known to me, acknowledged before me on this day, that being informed of the contents of said warranty deed, he, as such Partner, and with full authority, executed the same voluntarily for and as the act of said General Partnership.

GIVEN under my hand this 10th day of _____
December, 1986.

Thurmond S. Muck
Notary Public
My Commission Expires: 10-27-87

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

1987 JAN -5 AM 10: 56

Thomas W. Shivers, Jr.
JUDGE OF PROBATE

1. Deed Tax	\$	<u>—</u>
2. Mig. Tax		<u>—</u>
3. Recording Fee		<u>5.00</u>
4. Indexing Fee		<u>2.00</u>
TOTAL		<u>7.00</u>

BOOK 108 PAGE 175