

2600-M

STATE OF ALABAMA  
SHELBY COUNTY

285  
WARRANTY DEED

Know all men by these presents, that in consideration of Twenty-Three Thousand Dollars and 00/100 (\$23,000.00) and other good and valuable consideration paid to the undersigned Brookhaven Properties III, Inc., a corporation (the "Grantor"), by Don Kirby Construction, Inc. (the "Grantee"), the receipt of which is hereby acknowledged, the Grantor does hereby grant, bargain, sell and convey unto the Grantee the following described real estate situated in Shelby County, Alabama, to-wit:

Lot 46, according to the Amended Map of Brookhaven, Sector 3, as recorded in Map Book 11, page 118, in the Probate Office of Shelby County, Alabama.

Together with all the rights, tenements, hereditaments and appurtenances thereto belonging or in any way appertaining.

This conveyance is subject to:

1. Ad valorem taxes for the 1988 tax year and all subsequent years.
2. Easement as shown by recorded map.
3. Building line as shown by recorded map.
4. Agreement with Alabama Power Company as recorded in Real 140, page 738 in the Probate Office of Shelby County, Alabama.
5. Restrictions as recorded in Real 140, page 745 and Real 146, page 573 in the said Probate Office.
6. Right of way to Alabama Power Company as recorded in Real 148, page 917 in the said Probate Office.
7. Mineral and mining rights and rights incident thereto as recorded in Volume 284, page 119 in the Probate Office.

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

\$23,000.00 of the purchase recited above was paid from mortgage loan simultaneously herewith.

Land Title

BOOK 202 PAGE 966

And the Grantor does for itself and for 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, unless otherwise noted above; that it has a good right to sell and convey the same as aforesaid; that it will and its successors and assigns shall warrant and defend the same to the Grantee, its successors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, Brookhaven Properties III, Inc., has hereunto caused this instrument to be executed by its duly authorized officer on this the 15<sup>th</sup> day of August, 1988.

BROOKHAVEN PROPERTIES III, INC.

By: Albert F. Thomasson

Its: President

BOOK 202 PAGE 967  
STATE OF ALABAMA )  
JEFFERSON COUNTY )

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Albert F. Thomasson whose name as President of Brookhaven Properties III, 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 this conveyance he/she, as such officer, executed the same voluntarily for and as the act of said corporation on the day the same bears date.

Given under my hand and official seal this 15<sup>th</sup> day of August, 1988.

Kathy J. Owens  
Notary Public

My commission expires:

December 27, 1988

# CHICAGO TITLE INSURANCE COMPANY

## ENDORSEMENT

Attached to and forming a part of Commitment  
2600-M-Brookhaven Properties, III, Inc.

Issued by  
CHICAGO TITLE INSURANCE COMPANY

The above numbered Commitment is hereby amended by deleting Items  
6 and 7 from Schedule B-Section 1.

This endorsement is made a part of the commitment or policy. It  
is subject to all the terms of the commitment or policy and prior  
endorsements. Except as expressly stated on this endorsement,  
the terms, dates and amount of the commitment or policy and prior  
endorsements are not changed.

Dated: 7/26/88

CAW



Authorized Signatory

LAND TITLE COMPANY, ISSUING AGENT

Note: This endorsement shall not be  
valid or binding until countersigned  
by an authorized signatory.

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

88 SEP -6 AM 9:39

  
JUDGE OF PROBATE

1. Deed Tax	\$	<u>      </u>
2. Mtg. Tax		<u>      </u>
3. Recording Fee		<u>7.50</u>
4. Indexing Fee		<u>1.00</u>
TOTAL		<u>8.50</u>