

1500

This instrument was prepared by:  
Clayton T. Sweeney  
Corley, Moncus & Ward, P.C.  
2100 SouthBridge Parkway  
Suite 650  
Birmingham, Alabama 35209

Send Tax Notice To:  
William J. Acton  
Construction, Inc.  
3153 Bradford Place  
Birmingham, AL 35242

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STATE OF ALABAMA )  
SHELBY COUNTY )

KNOW ALL MEN BY THESE PRESENTS, That in consideration of Fifty Five Thousand and No/100 (\$55,000.00) Dollars to the undersigned grantor, Meadow Brook Heights, an Alabama General Partnership, in hand paid by Grantee named herein, the receipt of which is hereby acknowledged, the said Meadow Brook Heights, an Alabama General Partnership, does by these presents, grant, bargain, sell and convey unto William J. Acton Construction, Inc. (herein referred to as "Grantee", whether one or more) the following described real estate, situated in Shelby County, Alabama, to-wit:

Lot 68, according to the Survey of Meadow Brook, 18th Sector, Phase I, as recorded in Map Book 10, Page 26 in the Probate Office of Shelby County, Alabama.

Mineral and mining rights excepted.

This property is conveyed subject to the following:

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1. Ad valorem taxes for the year 1991, which are a lien but not due and payable until October 1, 1991.
2. Public utility easements as shown by recorded map, including a 10 foot easement as shown by recorded map.
3. Building set back line of 35 feet reserved from Bradford Place as shown by recorded map.
4. Restrictions, covenants and conditions as set out in instrument recorded in Real 87, Page 482 and as shown by Map Book 10, Page 26, in said Probate Office.
5. Agreement with Alabama Power Company as to underground cables recorded in Real 89, Page 984 and covenants pertaining thereto recorded in Real 89, Page 987, in said Probate Office.
6. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto, including rights set out in Deed Book 65, Page 96; Deed Book 79, Page 287; and Deed Book 65, Page 94, in the Probate Office of Shelby County, Alabama.

WJA

\$49,000.00 OF THE PURCHASE PRICE RECITED ABOVE, WAS PAID FROM A MORTGAGE LOAN SIMULTANEOUSLY HEREWITH.

First Ala Bank  
P.O. - 10217

APPROVED (D)

Grantee acknowledges that Grantee has been informed by Grantor of sinkholes and soil conditions existing in Shelby County. Grantee agrees that Grantor shall not be liable for earthquakes, underground mines, sinkholes, limestone formations, soil conditions or any other known or unknown surface or subsurface condition that may now or hereafter exist or occur or cause damage to persons, property or buildings. Grantee does forever release Grantor from any damage arising out of the conditions of the soil and for conditions of the surface and subsurface of the above described property, and this release shall constitute a covenant running with the land conveyed hereby, as against Grantee, and all persons, firms and corporations holding under or through Grantee.

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

And said Grantor does for itself, its successors and assigns covenant with the said grantees, its successors and assigns, that it is lawfully seized in fee simple of said premises; 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 said grantees, its successors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said Grantor has hereunto set its hand by its duly authorized partner, this 31<sup>st</sup> day of January, 1991.

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STATE OF ALA. SHELBY CO.  
I CERTIFY THIS  
INSTRUMENT WAS FILED  
91 FEB -5 AM 9:14

*Thomas W. Swannick, Jr.*  
JUDGE OF PROBATE

SELLER:

Meadow Brook Heights,  
an Alabama General  
Partnership

By: *Douglas D. Eddleman*  
Douglas D. Eddleman,  
General Partner

STATE OF ALABAMA )  
JEFFERSON COUNTY )

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Douglas D. Eddleman, whose name as General Partner in Meadow Brook Heights, an Alabama General Partnership, 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 above and foregoing conveyance, he, as such general partner, and with full authority, executed the same voluntarily for and as the act of said partnership.

31<sup>st</sup> Given under my hand and official seal this day of January, 1991.

1. Deed Tax	6.00
2. Mtg. Tax	0.00
3. Recording Fee	5.00
4. Indexing Fee	3.00
5. No Tax Fee	0.00
6. Certified Fee	1.00
Total	15.00

*Cliff Keeg*  
Notary Public  
My Commission Expires: 5-29-91