

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

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Send Tax Notice To:
McCay Home Builders, Inc.
2070 Vestavia Park Court Suite 1
Birmingham, AL 35216

STATE OF ALABAMA)
SHELBY COUNTY)

KNOW ALL MEN BY THESE PRESENTS,

That in consideration of Forty Two Thousand and No/100 Dollars (\$42,000.00) to the undersigned grantor, EDDLEMAN PROPERTIES, INC., an Alabama Corporation, in hand paid by Grantee named herein, the receipt of which is hereby acknowledged, the said EDDLEMAN PROPERTIES, INC., an Alabama Corporation, does by these presents, grant, bargain, sell and convey unto McCay Home Builders, Inc. referred to as "Grantee", whether one or more), the following described real estate (the "Property"), situated in Shelby County, Alabama, to-wit:

Lot 199, according to the Survey of Brook Highland, an Eddleman Community, 6th Sector, 1st Phase, as recorded in Map Book 14, Page 83 and 83 A, as recorded in the Probate Office of Shelby County, Alabama.

Mineral and mining rights excepted.

The above property is conveyed subject to:

- (1) Ad valorem taxes due and payable October 1, 1991.
- (2) 35 Foot building setback line as shown by recorded plat.
- (3) Public utility easements as shown by recorded plat.
- (4) Declaration of Protective Covenants for the "Watershed Property", which provides, among other things, for an Association to be formed to assess and maintain the Watershed Maintenance Areas, etc. of the development; all of said covenants, restrictions and conditions being set out in instrument recorded in Real 194, Page 54 in said Probate Office.
- (5) Declaration of Protective Covenants, Agreements, Easements, Charges and Liens for Brook Highland, as set out in instrument recorded in Real 194, Page 254 in Probate Office, along with Articles of Incorporation of Brook Highland Homeowner's Association, Inc. as recorded in Real 194, Page 281 and By-Laws of Brook Highland Homeowner's Association, Inc. as recorded in Real 194, Page 287 in said Probate Office, and amended in Real 228, Page 882, Real 228, Page 886, Real 255, Page 131, Real 263, Page 604, Real 311, Page 78 and Supplemental Declaration of Protective Covenants of Brook Highland, an Eddleman Community, 6th Sector, 1st Phase, as recorded in Real 317, Page 767, in said Probate Office.
- (6) A non-exclusive easement and agreement between Eddleman and Associates and The Water Works and Sewer Board of the City of Birmingham dated July 11, 1988, and recorded in Real 194, Page 20 and Real 194, Page 43 in said Probate Office.

The entire consideration of the purchase price recited above was paid from a mortgage loan simultaneous herewith.

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BOOK 332 PAGE 174

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BOOK 332 PAGE 175

BOOK 332 PAGE 175

BOOK 332 PAGE 175

BOOK 332 PAGE 175

BOOK 332 PAGE 175

BOOK 332 PAGE 175

BOOK 332 PAGE 175

BOOK 332 PAGE 175

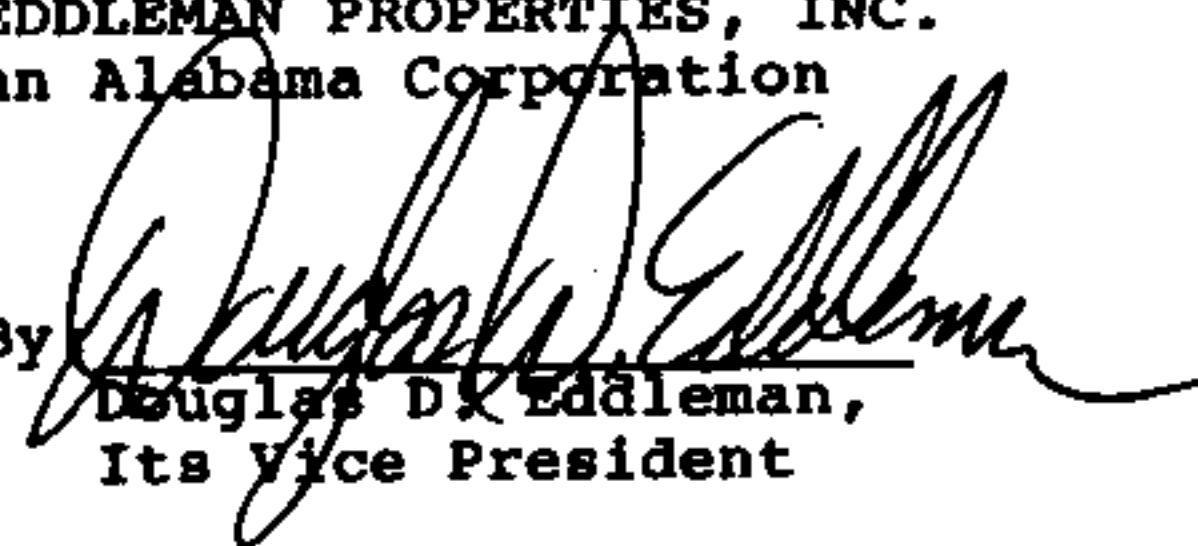
TO HAVE AND TO HOLD to the said Grantee, its successors and assigns forever, and said Grantor does for itself, its successors and assigns, covenant with said Grantees, their successors and assigns, that it is lawfully seized in fee simple of said premises, that they are free from all encumbrances, unless otherwise noted above, that it has a good right to sell and convey the same as aforesaid, and, that it will and its successors and assigns shall, warrant and defend the same to the said Grantee, 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 officer this 1st day of March, 1991.

SELLER:

EDDLEMAN PROPERTIES, INC.
an Alabama Corporation

By


Douglas D. Eddleman,
Its Vice President

BOOK 332 PAGE 176

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 Vice President of Eddleman Properties, Inc., an Alabama Corporation, is signed to the foregoing Deed; and who is known to me, acknowledged before me on this day that, being informed of the contents of the above and foregoing Deed, he, as such officer, and with full authority, executed the same voluntarily for and as the act of said Corporation.

Given under my hand and official seal of office this 1st day of March, 1991.


Notary Public

My Commission Expires: 5-27-91

The Grantees execute this deed only to acknowledge and accept all covenants and restrictions contained hereinabove.

McCay Home Builders, Inc.

BY: Steve McCay
Its President

State of Alabama)
County of Jefferson)

BOOK 332 PAGE 177

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Steve McCay, whose name as President of McCay Home Builders, Inc. 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 in his capacity as such officer and with full authority, executed the same for and as the act of said corporation.

the 4th day of March, 1991. Given under my hand and official seal this

Clayton Heagy
Notary Public

My Commission Expires: 5-29-97

STATE OF ALA. SHELLEY D.
I CERTIFY THIS
INSTRUMENT WAS FILED

91 MAR -6 AM 9:56

Thomas H. Brown, Jr.
JUDGE OF PROBATE

1. Dead Tax	<u>No Tax Paid</u>
2. Mig. Tax	<u>0</u>
3. Recording Fee	<u>\$10.00</u>
4. Indexing Fee	<u>\$3.00</u>
5. No Tax Fee	<u>\$7.00</u>
6. Certified Fee	<u>\$1.00</u>
Total	<u>\$15.00</u>