

THIS INSTRUMENT WAS PREPARED BY:
Ben L. Zarzaur, Attorney
NAJJAR DENABURG, P.C.
2125 Morris Avenue
Birmingham, Alabama 35203

SEND TAX NOTICE TO:
Roland V. Wise
Melissa A. Wise
4408 Ashington Circle
Birmingham, Alabama 35242

Inst # 1992-19521

09/09/1992-19521
03:14 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
\$2.00
J02 MCD

CORPORATION WARRANTY DEED
JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

THE STATE OF ALABAMA)
: KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF SHELBY)

That in consideration of TWO HUNDRED SIXTY-FIVE THOUSAND AND NO/100, (\$265,000.00), DOLLARS, in hand paid to the undersigned, DKM ENTERPRISES, INC., a corporation, (hereinafter referred to as "GRANTOR"), by Roland V. Wise and wife, Melissa A. Wise, (hereinafter referred to as "GRANTEES"), the receipt of which is hereby acknowledged, the said GRANTOR does by these presents, grant, bargain, sell and convey unto GRANTEES the following described real estate, located and situated in Shelby County, Alabama, to wit:

Lot 262, according to the survey of Brook Highland, an Eddleman Community, 6th Sector, 3rd Phase, as recorded in Map Book 15, Page 105 in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

\$212,000.00 of the purchase price recited above was paid from the proceeds of a purchase money mortgage executed simultaneously with delivery of this deed.

SUBJECT TO:

1. Ad valorem taxes for the current year, 1992.
2. Building setback line of 35 feet reserved from Ashington Circle as shown by plat.
3. Public utility easements as shown by recorded plat, including 10 feet on the rear of the lot.
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 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 as recorded in Real 194, Page 281 and By-Laws recorded in and Real 194, Page 287-A in Probate Office. Along with Supplemental Protective Covenants being amended in Real 263, Page 604, also Supplemental Protective Covenants recorded in Real 380, Page 623 and as in Real 398, Page 784 in 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 Probate Office.
7. Easement and Agreements between AmSouth Bank, N.A., as Ancillary Trustee for NCNB National Bank of North Carolina, as Trustee for the Public Employees Retirement System of Ohio and The Water Works and Sewer Board of the City of Birmingham, as set out in instrument recorded in Real 194, Page 1 and Real 194, Page 40 in Probate Office.
8. Drainage Agreement between AmSouth Bank, N.A., as Ancillary Trustee for NCNB National Bank of North Carolina, as Trustee of the Trustee for NCNB National Bank of North Carolina, as Trustee of the Public Employees Retirement System of Ohio and Eddleman Associates as set in Real 125, Page 238 dated April 14, 1987 in Probate Office.
9. Reciprocal Easement Agreement between AmSouth Bank, N.A. as Ancillary Trustee for NCNB National Bank of North Carolina as Trustee for the Public Employees Retirement System of Ohio and Eddleman and Associates, as set out in instrument dated April 14,

- 1987 and recorded in Real 125, Page 249 and Real 199, Page 18 in Probate Office.
10. 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 32, Page 48 and Deed Book 127, Page 140 in Probate Office.
 11. Restrictive covenants with regard to underground transmission installation by Alabama Power Company as recorded in Real 181, Page 995.
 12. Covenants releasing predecessors in title from any liability arising from sinkholes, limestone formations, soil conditions or any other known or unknown surface of subsurface conditions that may now or hereafter exist or occur or cause damage to subject property, as shown by survey of said subdivision, recorded in Map Book 15, Page 105 and Real 383, Page 357 in Probate Office.
 13. Subdivision restrictions shown on recorded plat in Map Book 15, Page 105 to provided for construction of single family residences only.
 14. Easement to Birmingham Water Works & Sewer Board as shown by instrument recorded in Real 252, page 210 in Probate Office.
 15. Release of damages as set out in Real 397, page 223 in Probate Office.

TO HAVE AND TO HOLD UNTO the said GRANTEES as joint tenants, with right of survivorship, their heirs and assigns, forever; it being the intention of the parties to this conveyance, that (unless the joint tenancy hereby created is severed or terminated during the joint lives of the GRANTEES herein) in the event one GRANTEE herein survives the other, the entire interest in fee simple shall pass to the surviving GRANTEE, and if one does not survive the other, then the heirs and assigns of the GRANTEES herein shall take as tenants in common.

And said GRANTOR does for itself, its successors and assigns, covenant with said GRANTEES, their heirs and assigns, that 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 said GRANTEES, their heirs, executors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said GRANTOR, by its President, whose name is W. B. Doyle, who is authorized to execute this conveyance, has hereto set his signature and seal, this 4th day of September, 1992.

DKM ENTERPRISES, INC.


BY: W. B. DOYLE (SEAL)
ITS: PRESIDENT

THE STATE OF ALABAMA)
 ;
COUNTY OF JEFFERSON)

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that W. B. Doyle whose name as President of DKM ENTERPRISES, 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 the conveyance, he, as such officers and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this 4th day of September, 1992.


NOTARY PUBLIC
My commission expires: 6/12/96

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