

This instrument prepared by:
John N. Randolph, Attorney
Sirote & Permutt P.C.
2222 Arlington Avenue
Birmingham, Alabama 35205

Send Tax Notice to:
Kenneth D. Fuqua
Janice M. Fuqua
4116 Ashington Drive
Birmingham, Al 35242

CORPORATION FORM WARRANTY DEED, JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

State of Alabama

KNOW ALL MEN BY THESE PRESENTS,

Shelby County

That in consideration of **Two Hundred Seventy Thousand and 00/100'S *** (\$270,000.00) Dollars** to the undersigned grantor, Alabanc Properties, Inc. a corporation organized under the laws of the State of Delaware, in hand paid by Kenneth D. Fuqua and Janice M. Fuqua, the receipt whereof is acknowledged, the said **Alabanc Properties, Inc.** does by these presents, grant, bargain, sell and convey unto **Kenneth D. Fuqua and Janice M. Fuqua**, as joint tenants, with right of survivorship, the following described real estate situated in Shelby County, Alabama, to-wit:

Lot 193, according to the Survey of Brook Highland -an Eddleman Community, 6th Sector, 1st Phase, as recorded in Map Book 14, page 83 A & B, in the Probate Office of Shelby County, Alabama.

Subject to:

1. Advalorem taxes for the current tax year which grantees herein assume and agree to pay.
 2. 35 foot building line as shown by recorded Map.
 3. 10 foot Easement on rear, as shown by recorded Map.
 4. Restrictions as shown by recorded Map.
 5. Release of Damages recorded in Real 354, page 646 in the Probate Office of Shelby County, Alabama.
 6. 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, ect., of the development; all of said covenants, restrictions and conditions being recorded in Real 194, page 54, in the Probate Office of Shelby County, Alabama.
 7. Declaration of Protective Covenants, Agreements, Easements, Charges and Liens for Brook Highland, as set out in instrument recorded in Real 194, page 254, in the 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, recorded in Real 317, page 767 in the Probate Office of Shelby County, Alabama.
 8. Non-Exclusive Easement and Agreement between Eddleman and Associates and The Water Works and Sewer Board of the City of Birmingham dated 7-11-88, and recorded in Real 194, page 20 and Real 194, page 43 in the Probate Office of Shelby County, Alabama.
 9. Easement and Agreements for the Public Employees Retirement System of Ohio and the Water Works Board of the City of Birmingham, recorded in Real 194, page 1, and Real 194, page 40, in the Probate Office of Shelby County, Alabama.
 10. Drainage Agreement for the Public Employees Retirement System of Ohio and Eddleman and Associates recorded in Real 125, page 238, in the Probate Office of Shelby County, Alabama.
 11. Reciprocal Easement Agreement for the Public Employees Retirement System of Ohio and Eddleman and Associates as recorded in Real 125, page 249 and Real 199, page 18, in the Probate Office of Shelby County, Alabama.
 12. Mineral and mining rights and rights incident thereto recorded in Deed Book 32, page 48, and Deed Book 121, page 294, in the Probate Office of Shelby County, Alabama.
 13. Restrictive Covenants regarding Alabama Power Company recorded in Real 181, page 995, in the Probate Office of Shelby County, Alabama.
 14. Reservation as shown in Map Book 14, page 83, A & B.
- \$270,000.00 of the purchase price recited above was paid from the proceeds of a mortgage loan closed simultaneously herewith.

TO HAVE AND TO HOLD, To the said Kenneth D. Fuqua and Janice M. Fuqua, 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 Alabanc Properties, Inc. does for itself, its successors and assigns, covenant with said Kenneth D. Fuqua Janice M. Fuqua, their heirs 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 Kenneth D. Fuqua Janice M. Fuqua, their heirs, executors and assigns forever, against the lawful claims of all persons.

04/05/1993-09058
11:14 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 MCD 10.00

Inst # 1993-09058

IN WITNESS WHEREOF, the said Alabanc Properties, Inc. by David L. Blackstone, Vice President, who is authorized to execute this conveyance, has hereto set its signature and seal, this the 31st day of March, 1993.

Alabanc Properties, Inc.

X David L. Blackstone
by, David L. Blackstone, Vice President

**STATE OF ALABAMA
JEFFERSON COUNTY**

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that David L. Blackstone, Vice President, of Alabanc Properties, Inc., a corporation, whose name as such officer 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 officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this 31st day of March, 1993.

X Melina C. Russ
Notary Public My Commission Expires: 8/7/95
Affix Seal

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