

value  
\$95,000

SEND TAX NOTICE TO:

Brookstone Construction Company  
C/O Charles S. Givianpour

5101 CYRUS DRIVE  
B'HAM, AL 35242-4630

Inst # 1993-31539

This instrument prepared by:

Howard Donovan, Esq.  
1 Independence Plaza  
Suite 510  
Birmingham, Alabama 35209

WARRANTY DEED

STATE OF ALABAMA )  
JEFFERSON COUNTY )

KNOW ALL MEN BY THESE PRESENTS,

THIS STATUTORY WARRANTY DEED is executed and delivered on this 27<sup>th</sup> day of Sept, 1993, by LAKE HEATHER DEVELOPMENT COMPANY, INC., an Alabama corporation ("Grantor"), in favor of BROOKSTONE CONSTRUCTION COMPANY ("Grantee").

KNOW ALL MEN BY THESE PRESENTS, that in consideration of the sum of Ten Dollars (\$10.00), in hand paid by Grantee to Grantor and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by Grantor, Grantor does by these presents, grant, bargain, sell and convey unto Grantee, the following described real property (the "Property"), situated in Shelby County, Alabama:

Lot 30, according to the Survey of Lake Heather Estates (Givianpour's Addition to Inverness) as recorded in Map Book 16, Page 121ABC in the Office of the Judge of Probate of Shelby County, Alabama.

TOGETHER WITH a nonexclusive easement to use the private roadways, Access Easements and other easements, all as more particularly described in the Declaration of Protective Covenants for Lake Heather Estates, dated August 26, 1992, and recorded at Inst. No. 1992-18226, as amended by Inst. No. 1992-26078, in the Probate Office of Shelby County, Alabama (which, together with all amendments thereto, is hereinafter collectively referred to as the "Declaration").

TOGETHER WITH a nonexclusive easement for access to the Property along those lands described as Tract II in that certain deed from Metropolitan Life Insurance Company to Grantor recorded at Inst. No. 1992-18226 in the Office of the Judge of Probate of Shelby County, Alabama.

Subject to:

1. Ad valorem taxes due and payable October 1, 1994, and all subsequent years thereafter;
2. Fire district dues and library district assessments for the current year and all subsequent years thereafter;
3. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating

\$95,000.00 of the consideration recited above was paid from a mortgage loan closed simultaneously herewith.

Grantor shall not be liable for and Grantees, jointly and severally, hereby waive and release Grantor, its officers, agents, employees, directors, shareholders, partners, mortgagees and their respective successors and assigns from any liability of any nature on account of loss, damage or injuries to buildings, structures, improvements, personal property or to Grantees or any owner, occupants or other person who enters upon any portion of the Property as a result of any past, present or future soil, surface and/or subsurface conditions, known or unknown (including, without limitation, sinkholes, underground mines, tunnels and limestone formations and deposits) under or upon the Property or any property surrounding, adjacent to or in close proximity with the Property which may be owned by Grantor.

10/12/1993-31539  
10:16 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
DOE MCB  
13.00

Cakalia Title

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

IN WITNESS WHEREOF, the undersigned LAKE HEATHER DEVELOPMENT COMPANY, INC., has executed this instrument as of the day and year first above written.

LAKE HEATHER DEVELOPMENT  
COMPANY, INC., an Alabama corporation

By: C-S-V

Its DATE 10/15/92

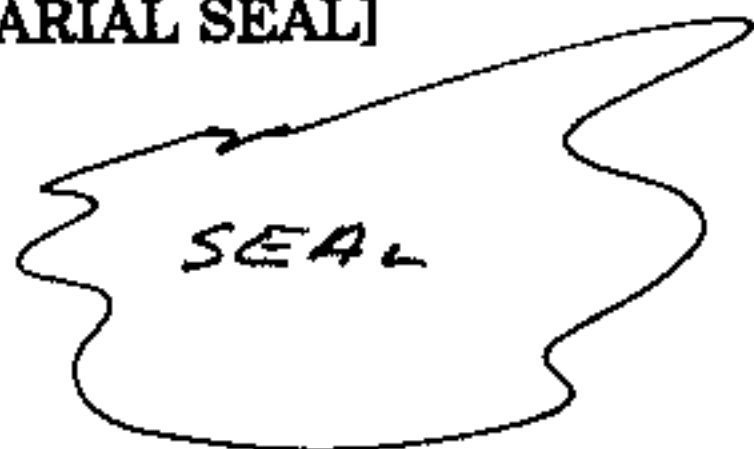
STATE OF ALABAMA )

COUNTY OF SHELBY )

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that CHARLES S. GIVIANPOUR, whose name as PRES. of LAKE HEATHER DEVELOPMENT COMPANY, INC., an Alabama corporation, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument, 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 the 27<sup>th</sup> day of Sept, 1992.

[NOTARIAL SEAL]



Angela J. Givianpour  
Notary Public  
My Commission Expires: 4-20-94

Inst # 1993-31539

10/12/1993-31539  
10:16 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 MCD 13.00