

41,400

WARRANTY DEED

Send Tax Notice To: B & S Construction, Inc.
95 3rd Avenue
Shelby, Alabama 35143

STATE OF ALABAMA)
)
SHELBY COUNTY)

1993-41636

KNOW ALL MEN BY THESE PRESENTS: That in consideration of the sum of ONE HUNDRED AND 00/100 (\$ 100.00) DOLLARS, in cash, and to facilitate a Section 1031 exchange under an integrated plan, to the undersigned Grantor, in hand paid by the Grantee herein, the receipt whereof is hereby acknowledged, I, SHERMAN HOLLAND, JR., A MARRIED MAN, (herein referred to as Grantor), grant, bargain, sell and convey unto WILLIAM V. DILLARD, (herein referred to as Grantee), the following described real estate, situated in Shelby County, Alabama, to-wit:

Lots 33, 34, 35, 36, 37 and 38, according to the Survey of Kingwood Townhomes, Phase One, as recorded in Map Book 9, Page 18, in the Probate Office of Shelby County, Alabama.

Subject to: 1. Ad valorem taxes for the Year 1994, which said taxes are not due or payable until October 1, 1994. 2. Right of Way granted to Alabama Power Company by instruments recorded in Real Book 20, Page 247; Real Book 48, Page 65; Real Book 59, Page 380, in the Probate Office of Shelby County, Alabama. 3. Easements and building line as shown on recorded map. 4. Agreement with Alabama Power Company as to underground cables in Real Book 12, Page 549; and covenants pertaining thereto in Real Book 12, Page 548, in the Probate Office of Shelby County, Alabama. 5. Terms. agreements and right of way to Alabama Power Company, as recorded in Real Book 12, Page 548, in the Probate Office of Shelby County, Alabama. 6. Rights of owners of property adjoining property in and to the joint of common rights in building situated on said lots, such rights include but are not limited to roof, foundation, party walls, walkway and entrance.

12/29/1993-41636
11:20 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
DOE HEL 52.50

ALSO:

Commence at the Southeast corner of Lot 27, Kingwood Townhomes - Phase One, as recorded in Map Book 9, Page 18, in the Office of the Judge of Probate of Shelby County, Alabama, for the point of beginning; thence Westerly along the South line of said Lot 27, run 147.19 feet to the Easterly Right-of-Way of King James Drive, said point being on a curve to the left having a radius of 533.92 feet; thence right and along the arc of said curve and Right-of-Way, run 75.13 feet; thence continue along extended tangent of said curve 48.17 feet to the P.C. of a curve to the right, said curve having a radius of 287.56 feet; thence along arc of said curve, run 60.23 feet; thence right 90 degrees from extended tangent and run 160.67 feet; thence right 95 degrees 44 minutes 35 seconds and run 27.70 feet; thence left 11 degrees 55 minutes 32 seconds and run 130.83 feet to the point of beginning.

The above described tract includes Lots 27, 28, 29, 30, 31, 32, Kingwood Townhomes - Phase One, as recorded in

Map Book 9, Page 18, in the Office of the Judge of Probate, Shelby County, Alabama, being a tract of land situated in Section 26, Township 20 South, Range 3 West.

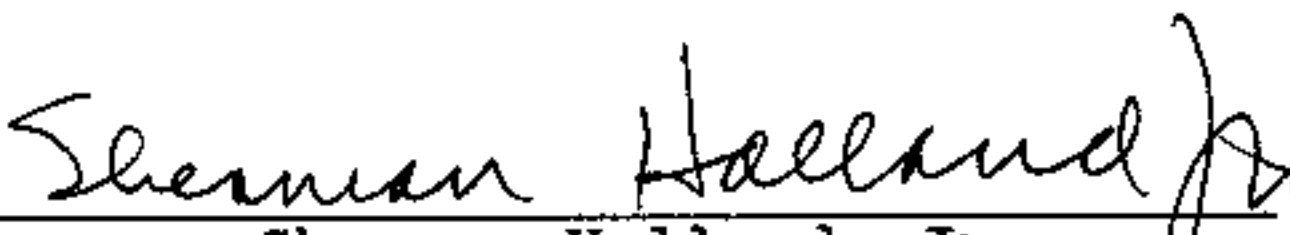
Subject to: 1. Ad valorem taxes for the Year 1994, which said taxes are not due or payable until October 1, 1994. 2. Easement to W. T. Booth Construction Company, Inc., in Real Volume 152, Page 505, in the Probate Office of Shelby County, Alabama. 3. Right of Way granted to Alabama Power Company by instruments recorded in Real Volume 99, Page 520; Volume 225, Page 224; Volume 55, Page 454; Real Volume 20, Page 247; Real Volume 48, Page 65; Real Volume 59, Page 380; and Real Volume 20, Page 247, in the Probate Office of Shelby County, Alabama. 4. Easements and building line as shown on recorded map. 5. Restrictions appearing of record in Real Volume 181, Page 202, in the Probate Office of Shelby County, Alabama. 6. Right of Way in favor of Alabama Power Company and South Central Bell Telephone Company by instrument recorded in Volume 285, Page 253, in the Probate Office of Shelby County, Alabama. 7. Right of Way granted to South Central Bell Telephone Company by instrument recorded in real Volume 109, Page 882, in the Probate Office of Shelby County, Alabama. 8. Easement to Colonial Pipeline as recorded in Volume 220, Page 505, in the Probate Office of Shelby County, Alabama. 9. Agreement with Alabama Power Company as to underground cables in Real Volume 12, Page 549; and covenants pertaining thereto in Real Volume 12, Page 548, in the Probate Office of Shelby County, Alabama.

THIS PROPERTY IS NOT THE HOMESTEAD PROPERTY OF GRANTOR.

TO HAVE AND TO HOLD Unto the said Grantee, his successors and assigns forever.

And I do for myself and for my heirs, executors and administrators covenant with the Grantee, his successors and assigns, that I am lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that I have a good right to sell and convey the same as aforesaid; that I will and my heirs, executors and administrators shall warrant and defend the same to the said Grantee, his successors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, I have hereunto set my hand and seal, this 29th day of December, 1993.

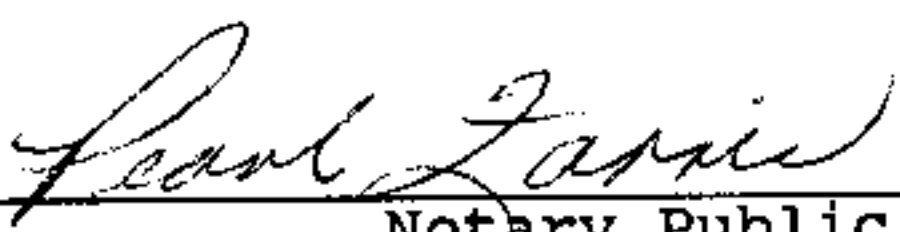
 (SEAL)
Sherman Holland, Jr.

STATE OF ALABAMA)
)
SHELBY COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Sherman Holland, Jr., whose name 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 executed the same voluntarily, on the day the same bears date.

Given under my hand and official seal this 29th day of December, 1993.



Notary Public

This instrument was prepared by:
John Burdette Bates, Attorney at Law
#10 Office Park Circle, Suite 122
Birmingham, Alabama 35223

Inst # 1993-41636

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11:20 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 NEL 52.50