

Send Tax Notice To:

Richard A. Sanders, III, M.D.  
2041 Brook Highland Ridge  
Birmingham, Alabama 35242  
PID# 58-03-9-30-0-002-001

Inst # 1994-06608

**CORPORATION FORM WARRANTY DEED  
JOINTLY FOR LIFE WITH REMAINDER TO SURVIVOR**

**STATE OF ALABAMA  
Shelby COUNTY**

**KNOW ALL MEN BY THESE PRESENTS,** That in consideration of

**Three Hundred Eighty Thousand and 00/100'S \*\*\* (\$380,000.00)**

**to the undersigned Grantor Alan Howard Construction, Inc.** a corporation,  
(herein referred to as Grantor) does by these presents grant,  
bargain, sell and convey unto

**Richard A. Sanders, III, M.D. and Nancy Sanders**

(herein referred to as Grantees), for and during their joint  
lives and upon the death of either of them, then to the survivor  
of them in fee simple, together with every contingent remainder  
and right of reversion, the following described real estate,  
situated in **Shelby County, Alabama**, to-wit:

**Lot 2028, according to the Map of Brook Highland an Eddleman  
Community 20th Sector, as recorded in Map Book 16, Page 148,  
in the Probate Office of Shelby County, Alabama.**

**\$ 304,000.00** of the consideration stated hereinabove  
was paid from the proceeds of a mortgage loan of even  
date and closed simultaneously herewith.

Subject to ad valorem taxes for 1994 and subsequent  
years, said taxes being a lien but not yet due and  
payable until October 1, 1994.

Further subject to the restrictions, building lines,  
easements, limitations, agreements, covenants, and  
right of ways set forth and described in Exhibit "A"  
attached hereto and made a part hereof by reference.

**TOGETHER WITH** all and singular, the rights and privileges,  
hereditaments, and appurtenances thereto belonging or in anywise  
appertaining.

**TO HAVE AND TO HOLD,** To the said Grantees, for and during  
their joint lives and upon the death of either of them, then to  
the survivor of them in fee simple, and to the heirs and assigns  
of such survivor 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 in and to the property  
described hereinabove shall pass to the surviving GRANTEE, and  
if one does not survive 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 Grantee, his, her or their heirs and assigns,  
that it is lawfully seized in fee simple of said premises, that  
they are free from all encumbrances, 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, his, her or their heirs, executors and assigns  
forever, against the lawful claims of all persons.

03/01/1994-06608  
11:15 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
003 MCD 89.50

IN WITNESS WHEREOF, the said Grantor by its President, who is authorized to execute this conveyance, hereto set its signature and seal this 10th day of February, 1994.

Alan Howard Construction, Inc.


  
Alan Howard, President

AL. INSTRUMENT 2707 1994  
NOTARY PUBLIC  
JAMES E. HORTON  
2005 2005  
2005 2005  
2005 2005

**STATE OF ALABAMA  
JEFFERSON COUNTY**

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Alan Howard and whose name as President of Alan Howard Construction, 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/she as such officer and with full authority executed the same voluntarily for and as the act of said corporation on the day the same bears date.

Given under my hand and official seal, this 10th day of February, 1994.

  
Notary Public  
My commission expires: 01/24/95

94052B

This instrument prepared by:  
Thomas E. Norton, Jr., Attorney at Law  
Second Floor East  
Mountain Brook Center  
2700 Highway 280 South  
Birmingham, AL 35223

**EXHIBIT "A"**

**35 FOOT MINIMUM BUILDING LINE EAST AS SHOWN BY RECORDED PLAT.**

**10 FOOT EASEMENT WEST FOR PUBLIC UTILITIES, SANITARY SEWERS, STORM SEWERS AND STORM DITCHES AS SHOWN BY RECORDED PLAT.**

**RESTRICTIONS AS SHOWN BY RECORDED PLAT.**

**CONDITIONS, EXCEPTIONS, RESERVES, RESTRICTIONS AND LIMITATIONS, SETFORTH IN REAL 194, PAGE 54 AND AMENDED IN INSTRUMENT #1993-11287 AND INSTRUMENT #1993-12277, IN THE PROBATE OFFICE OF SHELBY COUNTY.**

**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 ALONG WITH SUPPLEMENTAL PROTECTIVE COVENANTS BEING AMENDED IN REAL 263, PAGE 604, IN SAID PROBATE OFFICE AND SUPPLEMENTAL PROTECTIVE COVENANTS OF BROOK HIGHLAND 20TH SECTOR, AS RECORDED IN INSTRUMENT #1993-01877, IN SAID PROBATE OFFICE.**

**EASEMENT FOR SANITARY SEWER LINES AND WATER LINES AS RECORDED IN INSTRUMENT NUMBER 1992-31641, ALONG WITH A DEED AND BILL OF SALE RECORDED IN INSTRUMENT NUMBER 1992-31642, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.**

**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.**

**EASEMENT AND AGREEMENT BETWEEN AMSOUTH BANK, N.A. AS ANCILLARY TRUSTEES FOR NCNB NATIONAL BANK OF NORTH CAROLINA, AS TRUSTEES 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 SAID PROBATE OFFICE.**

**DRAINAGE AGREEMENT BETWEEN AMSOUTH BANK, N.A., AS ANCILLARY TRUSTEE FOR NCNB, NATIONAL BANK OF NORTH CAROLINA AS TRUSTEE OF 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 238 IN SAID PROBATE OFFICE.**

**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 SAID PROBATE OFFICE.**

**RESTRICTIVE COVENANTS WITH REGARD TO UNDERGROUND TRANSMISSION INSTALLATION BY ALABAMA POWER COMPANY AS RECORDED IN REAL 181, PAGE 995, IN SAID PROBATE OFFICE.**

**MINERAL AND MINING RIGHTS AND RIGHTS INCIDENT THERETO SETFORTH IN DEED BOOK 32, PAGE 48 AND DEED BOOK 121, PAGE 294, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.**

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