

THIS INSTRUMENT PREPARED BY:
Kathryn S. Carver, Esquire
Lange, Simpson, Robinson &
Somerville
1700 First Alabama Bank Building
Birmingham, Alabama 35203

SEND TAX NOTICE TO:
Michael H. Cookston and
Cynthia L. Cookston
1031 Berrington Circle
Birmingham, Alabama 35242

WARRANTY DEED

STATE OF ALABAMA)
ST. CLAIR COUNTY)

KNOW ALL MEN BY THESE PRESENTS: That in consideration of Three Hundred Sixty Nine Thousand Eight Hundred and no/100 (\$369,800.00) DOLLARS and other good and valuable consideration, to the undersigned Grantor, in hand paid by the Grantees herein, the receipt whereof is acknowledged, CRYSTAL HOMES, INC., an Alabama corporation (herein referred to as "Grantor"), does grant, bargain, sell, and convey unto MICHAEL H. COOKSTON and CYNTHIA L. COOKSTON, husband and wife (herein referred to as "Grantees"), as joint tenants with right of survivorship, the following described real estate, situated in St. Clair County, Alabama, to-wit:

Lot 1032, according to the map and survey of Brook Highland, an Eddleman Community, 10th Sector, 2nd Phase, as recorded in Map Book 18, Page 36 A & B, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

Subject to:

1. Ad valorem taxes for the year 1994 and subsequent years which are not yet due and payable.
2. Building setback line and public easements as shown by plat recorded in the Office of the Judge of Probate of Shelby County, Alabama.
3. Declaration of Protective Covenants for the "Watershed Property" which provides, among other things, for an Association 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 said Probate Office.
4. Agreement for electrical services to NCNB/Brook Highland as set out in Real 306, Page 119, in said Probate Office.
5. Restrictions, covenants and conditions as set out and contained within deed conveyed to other parties as set out in Real 308, page 1; Real 220, Page 339 and as Instrument #1992-14567, in said Probate Office.

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Inst # 1994-19843

6. Easements to Alabama Power Company as shown by instrument recorded in Real 207, Page 380 and Real 220, Pages 521 and 532, in said Probate Office.
7. Restrictive covenants with regard to underground transmission installation by Alabama Power Company as recorded in Real 181, Page 995, in said Probate Office.
8. 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, in said Probate Office.
9. Covenant releasing predecessor in title from any liability arising from sinkholes, limestone formations, soil conditions or any other known or unknown surface or subsurface conditions that may now or hereafter exist or occur or cause damage to subject property as shown by instrument recorded in Map Book 18, Page 36 A & B in said Probate Office.
10. Easement for sanitary sewer lines and water lines as recorded in Instrument #1993-29505, along with Deed and Bill of Sale recorded as Instrument #1993-29504, in said Probate Office.
11. Declaration of Protective Covenants, Agreements, Easements, Charges and Liens for Brook Highland, as set out in instrument recorded in Real 194, Page 254; along with Articles of Incorporation as recorded in Real 194, page 281 and By-Laws recorded in Real 194, Page 287A, along with Supplement recorded in Instrument #1994-6901, in said Probate Office.
12. A deed and bill of sale to the Water Works and Sewer Board of the City of Birmingham conveying the sanitary sewer trunkline, pipelines, force mains, gravity flow mains, etc., located under the surface of subject land, as shown by instrument recorded in Real 194, Page 43 and 40 along with an easement for Sanitary Sewer Lines and Water lines as set out in Real 194, Page 1 and 20, in said Probate Office.
13. Drainage Agreement between AmSouth Bank, N.A., as Ancillary Trustee and Eddleman and Associates as set out in Real 125, page 238, in said Probate Office.
14. Reciprocal easement and agreement as set out in Real 125, Page 249 and Real 199, Page 18, in said Probate Office.

15. Subdivision restrictions as shown on recorded plat as Map Book 18, Page 36 A & B, including construction of single family residences only.
16. Restrictive Covenant and Agreement as set out in the deed from NCNB National Bank of North Carolina to Brook Highland Limited Partnership dated October 12, 1993 and recorded in Instrument #1993-32511, in said Probate Office.

TO HAVE AND TO HOLD unto the 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 the Grantor does, for itself and for its successors and assigns, covenant with the said Grantees, their heirs and assigns, that Grantor is lawfully seized in fee simple of said premises; that said premises are free from all encumbrances, unless otherwise noted above; that Grantor has a good right to sell and convey the same as aforesaid; that Grantor will and Grantor's successors and assigns shall warrant and defend the same to the Grantees, their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed on this the 20th day of June, 1994.

CRYSTAL HOMES, INC.

By: James B. Wagnon, Jr. (Seal)
JAMES B. WAGNON, JR.
Its: President

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that James B. Wagnon, Jr., whose name as President of Crystal Homes, Inc., an Alabama 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 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 20th day of June, 1994.

James B. Wagnon, Jr.
Notary Public
My Commission Expires: 06/22/1994-1994
11:57 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
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