

This instrument prepared by:  
Gene W. Gray, Jr.  
Corley, Moncus & Ward, P.C.  
2100 SouthBridge Parkway  
Suite 650  
Birmingham, Alabama 35209

SEND TAX NOTICE TO:  
JOHN D. CARNEY  
5201 Overlook Circle  
Birmingham, AL 35244

STATE OF ALABAMA)  
SHELBY COUNTY)

STATUTORY WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That for and in consideration of THIRTY THOUSAND and No/100 Dollars (\$30,000.00) and other good and valuable consideration to the undersigned GRANTOR in hand paid by the GRANTEES herein, the receipt whereof is acknowledged, HOWARD BROTHERS DEVELOPMENTS, INC., and M. BYROM CORPORATION, both Alabama Corporations (GRANTORS) do grant, bargain, sell and convey unto JOHN D. CARNEY AND WIFE, JANICE F. CARNEY (GRANTEES) the following described real estate situated in Shelby County, Alabama to-wit:

Lot 15, according to the Amended Map of "THE COTTAGES AT SOUTHLAKE", as recorded in Map Book 16, Page 139 in the Probate Office of Shelby County, Alabama; together with an undivided 1/30TH interest in and to the "COMMON AREA" as designated on the said record map; being situated in Shelby County, Alabama. Mineral and mining rights excepted.

Subject to:

1. Taxes for the year 1994 are a lien, but not due and payable until October 1, 1994.
2. Restrictions, covenants and conditions as set out in instrument recorded in Real 160, Page 495 and Restrictions for Land Use recorded in Real 160, Page 492 in Probate Office.
3. Easement to Alabama Power Company as shown by instrument recorded in and Real 224, Page 535 and Real 114, Page 134 in Probate Office.
4. 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 127, Page 140 and Deed Book 4, Page 542 in Probate Office.
5. Declaration of Covenants, Conditions, Restrictions and Easements for Southlake Townhomes, a Townhome Association recorded in Real 199, Page 367 as amended by instrument recorded in Instrument No. 1992-14035 ; Articles of Incorporation of Southlake Townhomes Owners' Association, as recorded in Real 199, Page 389 and in By-Laws relating thereto, and in Map Book 12, Page 78, and as amended and modified by Map Book 16, Page 71 in said Probate Office.
6. GRANTEE has no right of access to lakes, and may not disturb the "BUFFER".

\$ 30,000<sup>00</sup> of the consideration was paid from a mortgage loan.

TO HAVE AND TO HOLD unto said 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

SOUTHLAK.NRS (C)

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08:47 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
003 MCD 14.50

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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, the heirs and assigns of the grantees herein shall take as tenants in common. And said GRANTOR does for itself, its successor and assigns, covenant with said Grantees, 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 same GRANTEES, their heirs, executors and assigns forever, against the lawful claims of all persons.

GRANTEES understands that acceptance of this deed constitutes acceptance of all of the terms, conditions and obligations of all protective covenants and restrictions as set out hereinabove, and executes same to so acknowledge.

IN WITNESS WHEREOF, the said HOWARD BROTHERS DEVELOPMENTS, INC. by its President, ARTHUR W. HOWARD, and M. BYROM CORPORATION, by its President, Marty Byrom who are authorized to execute this conveyance, have heretofore set their signatures and seals, this the 7<sup>th</sup> day of July, 1994.

M. BYROM CORPORATION

HOWARD BROTHERS DEVELOPMENTS,  
INC.

By: Marty Byrom  
MARTY BYROM  
Its President

By: Arthur W. Howard  
ARTHUR W. HOWARD  
Its President

GRANTEES:

John D. Carney  
JOHN D. CARNEY

Janice F. Carney  
JANICE F. CARNEY

STATE OF ALABAMA)  
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County in said State hereby certify that ARTHUR W. HOWARD, whose name as President of HOWARD BROTHERS DEVELOPMENTS, INC. is signed to the foregoing Deed; and who is known to me, acknowledged before me on this day that, being informed of the contents of the above and foregoing Deed, he, as such officer, and with full authority, executed the same voluntarily, for and as the act of said corporation.

7<sup>th</sup> Given under my hand and official seal of office this day of JULY, 1994.

Notary Public  
My Commission Expires: 11/9/94

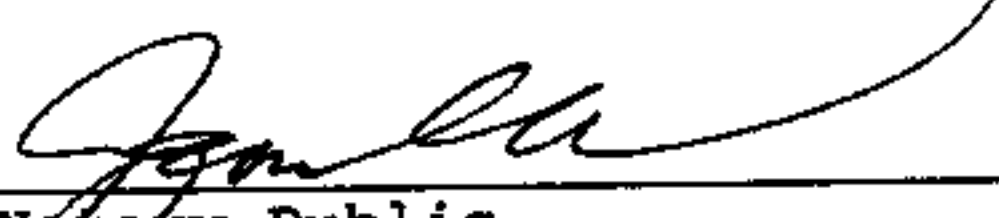
STATE OF ALABAMA)  
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County in said State hereby certify that MARTY BYROM, whose name as President of M. BYROM CORPORATION, is signed to the foregoing Deed; and who is known to me, acknowledged before me on this day that, being informed of the contents of the above and foregoing Deed, he, as such officer, and with full authority, executed the

SOUTHLAK.NRS (C)

same voluntarily, for and as the act of said corporation.

Given under my hand and official seal of office this  
7 day of JULY, 1994.

  
\_\_\_\_\_  
Notary Public  
My Commission Expires:

STATE OF ALABAMA)  
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said  
County in said State hereby certify that JOHN D. CARNEY AND WIFE,  
JANICE F. CARNEY, whose names are signed to the foregoing Deed;  
and who are known to me, acknowledged before me on this day that,  
being informed of the contents of the above and foregoing Deed,  
they executed the same voluntarily on the day the same bears  
date.

Given under my hand and official seal of office this 7  
day of JULY, 1994.

  
\_\_\_\_\_  
Notary Public  
My Commission Expires:

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