

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:
RICHARD S. VANDIVER
1056 SOUTHLAKE COVE RD.
BIRMINGHAM, ALABAMA 35244
58-10-4-20-0-006-053

STATE OF ALABAMA)
SHELBY COUNTY)

KNOW ALL MEN BY THESE PRESENTS, That in consideration of TWO HUNDRED FORTY SEVEN THOUSAND FIVE HUNDRED and No/100 Dollars (\$247,500.00) to the undersigned Grantor, SouthLake Properties, an Alabama General Partnership, (herein referred to as GRANTOR) in hand paid by the GRANTEES herein, the receipt of which is hereby acknowledged, the said GRANTOR does by these presents, grant, bargain, sell and convey unto RICHARD S. VANDIVER and DEBORAH P. VANDIVER (herein referred to as GRANTEES) as joint tenants, with right of survivorship, the following described real estate, situated in Shelby County, Alabama, to-wit:

Lot 53, according to the survey of South Lake Cove residential subdivision as recorded in Map Book 12, Page 98, in the Probate Office of Shelby County, Alabama.

Subject to:

Ad valorem taxes due October 1, 1995.

Mineral and mining rights, not owned by GRANTOR.

Notice of Permitted Land Uses as recorded in Book 160, Page 492, in the Probate Office of Shelby County, Alabama.

Public Utility easements as shown by recorded plat, including a 7.5 foot easement on the Southeast corner of Lot as shown by plat.

Restrictions, covenants and conditions as set out in instrument recorded in Real 160, page 495 in Probate Office.

Right-of-Way granted to Alabama Power company by instrument recorded in Real 230, Page 795 in Probate Office.

Agreement with Alabama Power company as to underground cables recorded in Real 215 Page 504 and covenants pertaining thereto recorded in Real 215, Page 521 in Probate Office.

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 104 in Probate Office.
Rights of riparian owners in and to the use of said Rutherford Lake.

No usable building space to be constructed on an elevation lower than 2 feet above the 100 year flood elevation of lake.

Access to Lots 1 thru 20 shall be restricted to Southlake Cove, as shown by Map Book 12, Page 98.

TO HAVE AND TO HOLD unto the 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 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.

10/31/1994-32537
11:48 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 MCD 37.00

Inst # 1994-32537

TO HAVE AND TO HOLD unto said GRANTEES, their heirs and assigns, forever.

SOUTHLAKE PROPERTIES, an
Alabama General Partnership


WILLIAM J. WILKENS, JR.
PROJECT MANAGER

The GRANTEE executes this deed only to acknowledge and accept all covenants and restrictions contained hereinabove.

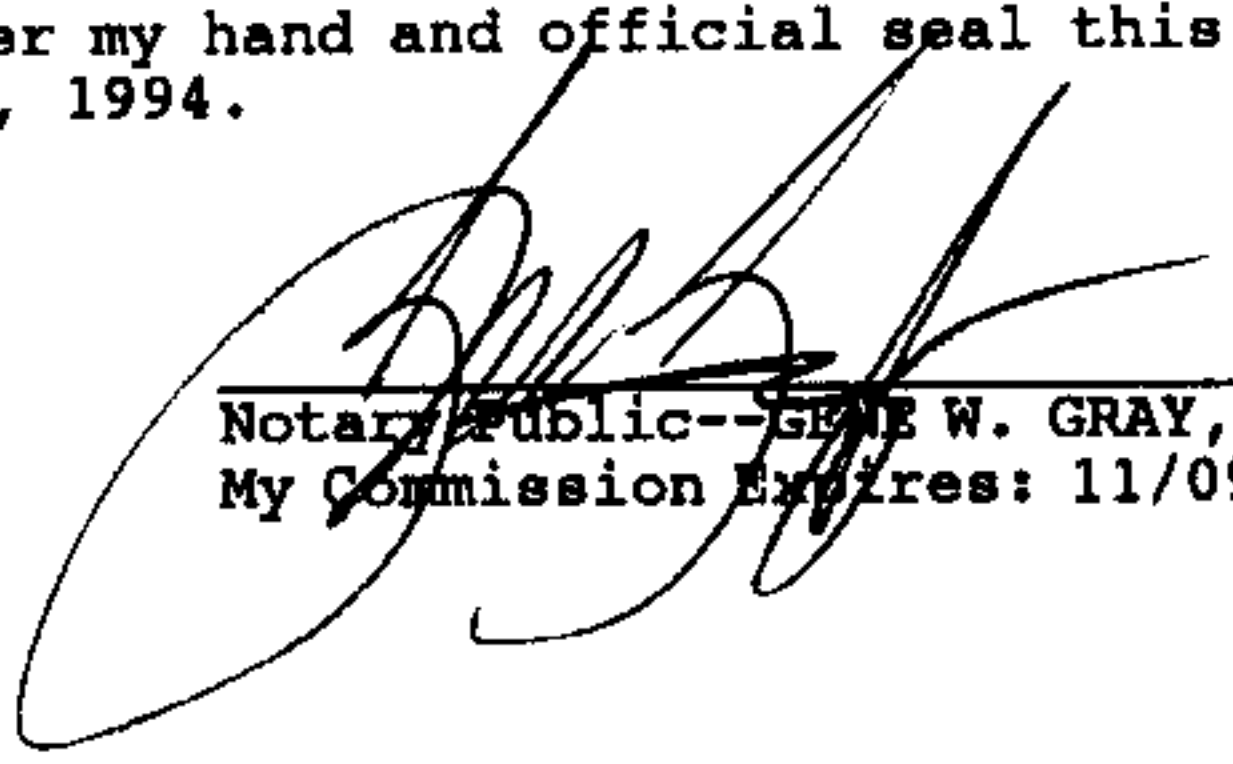

RICHARD S. VANDIVER


DEBORAH P. VANDIVER

STATE OF ALABAMA)
SHELBY COUNTY)

I, the undersigned Notary Public in and for said County in said State, hereby certify that WILLIAM J. WILKENS, JR. whose name as PROJECT MANAGER OF Southlake Properties, an Alabama General Partnership, is signed for 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, in his capacity as such Project Manager, executed the same voluntarily on the day the same bears date for and as the act of said Partnership.

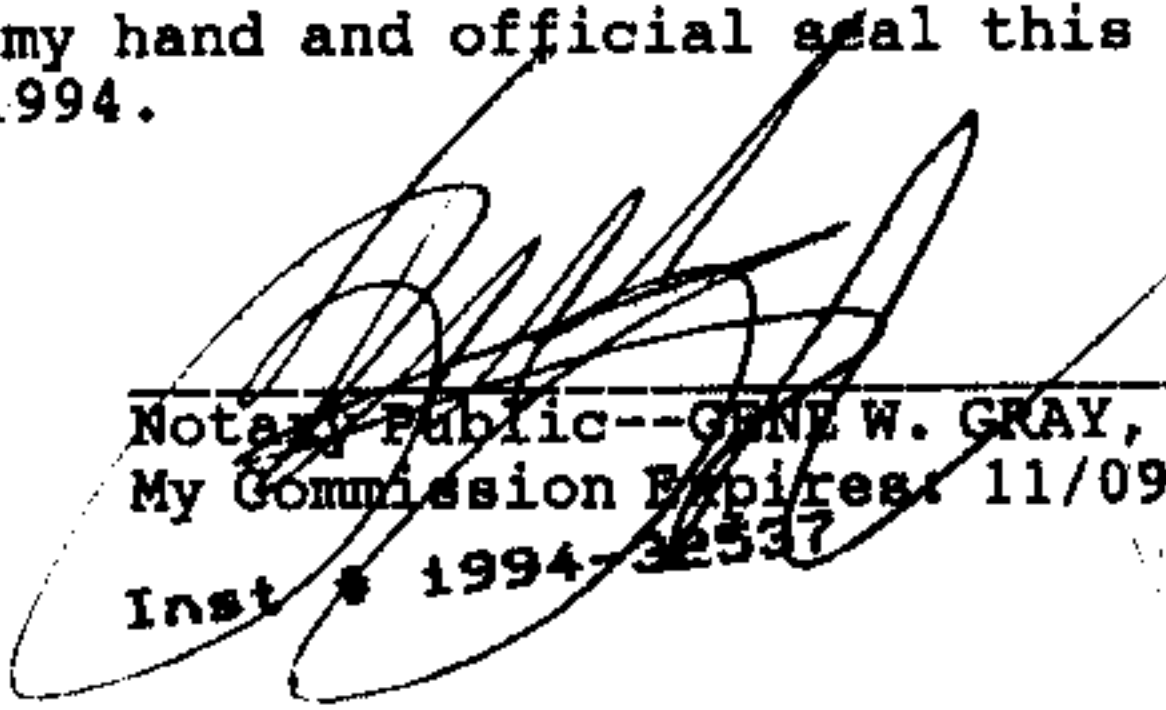
Given under my hand and official seal this the 28th day of October, 1994.


Notary Public--GENE W. GRAY, JR.
My Commission Expires: 11/09/94

STATE OF ALABAMA)
SHELBY COUNTY)

I, the undersigned Notary Public in and for said County in said State, hereby certify that RICHARD S. VANDIVER and DEBORAH P. VANDIVER whose names are signed to the foregoing conveyance and who are known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 28th day of October, 1994.


Notary Public--GENE W. GRAY, JR.
My Commission Expires: 11/09/94
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