

This instrument prepared by:
John N. Randolph, Attorney
Sirots & Permutt P.C.
2222 Arlington Avenue
Birmingham, Alabama 35205

Inst # 1995-03728
Send Tax Notice to:
Mike Cherry

~~02/10/1995-03728~~
~~11:03 AM CERTIFIED~~

SHELBY COUNTY JUDGE OF PROBATE
002 MC0 13.00

CORPORATION FORM STATUTORY WARRANTY DEED

State of Alabama

KNOW ALL MEN BY THESE PRESENTS,

Shelby County

That in consideration of **Thirty-Eight Thousand Nine Hundred and 00/100'S *** (\$38900.00) Dollars** to the undersigned grantor, **GREYSTONE CLOSE', AN ALABAMA JOINT VENTURE**, in hand paid by Mike Cherry, the receipt whereof is acknowledged, the said grantor does by these presents, grant, bargain, sell and convey unto **Mike Cherry**, the following described real estate situated in Shelby County, Alabama, to-wit:

Lot 58, according to the Survey of The Glen at Greystone, Sector One, as recorded in Map Book 15, page 97, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama. Mineral and mining rights excepted.

Subject to:

1. Advalorem taxes for the current tax year which grantees herein assume and agree to pay.
2. Building setback line of 20 feet reserved from Greystone Glen Drive as shown by plat.
3. Public utility easements as shown by recorded plat, including 5 foot on the Easterly side of lot.
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 121 page 294 and Deed Book 60 page 260 in Probate Office.
5. Rights of others to use of Hugh Daniel Drive as described in instrument recorded in Deed Book 301 page 799 in Probate Office.
6. Covenant and Agreement for Water Service, as set out in agreement recorded in Real 235 page 574 and amended agreement as set out as Instrument #1993-20849 and Instrument #1992-20786 in Probate Office.
7. Amended and Restated Restrictive Covenants as set out in instruments recorded in Real 265 page 96 in Probate Office.
8. Greystone Close' Development Declaration of Covenants, Conditions and Restrictions as recorded in Real 346 page 873; and First Amendment as recorded in Real 380 page 635 and Second Amendment as Instrument #1993-29620 in Probate Office.
9. Greystone Close' Development Reciprocal Easement Agreement which gives access to certain cross-easements and Hugh Daniel Drive and provides for certain assessments for maintenance of the same as recorded in Real 346 page 848; and First Amendment as recorded in Real 380 page 639, and 2nd Amendment as Instrument #1993-29620 in Probate Office.
10. Agreement between Daniel Oak Mountain Limited Partnership, an Alabama Limited Partnership and Shelby Cable, Inc. recorded in Real 350 page 545 in Probate Office.
11. Easement to Alabama Power Company by instrument recorded at Instrument #1992-26824.
12. Easement to Alabama Power Company as set out by instrument recorded in Real 386, page 389, in Probate Office.

As a part of the consideration for this sale, and by accepting this conveyance, the Grantees hereby accept and agree to those provisions regarding the use of the "Hugh Daniel Drive Property", as that term is defined in the document described below, contained in those certain Amended and Restated Restrictive Covenants, recorded in Real Volume 265, page 96, in said Probate Court.

\$38,900.00 of the purchase price recited above was paid from the proceeds of a mortgage loan closed simultaneously herewith.

TO HAVE AND TO HOLD, To the said Mike Cherry, his heirs and assigns forever.

IN WITNESS WHEREOF, the said Greystone Close', an Alabama Joint Venture, by Norville-Randolph at Greystone, Ltd., a limited partnership, Managing Venturer, by, R. R. Randolph, III, Vice President of Norville-Randolph, Inc., General Partner, who is authorized to execute this conveyance, has hereto set its signature and seal, this the 9th day of February, 1995.

Greystone Close', an Alabama Joint Venture,
By Norville-Randolph at Greystone, Ltd.,
a limited partnership,
Managing Venturer,
By, Norville-Randolph, Inc., General Partner,

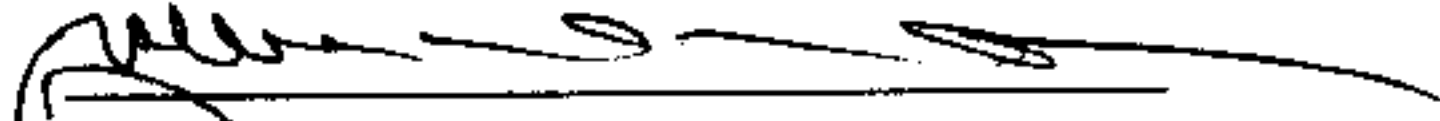

by, R. R. Randolph, III, Vice President

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State of Alabama
Shelby County

I, the undersigned, a Notary Public in and for said County and State, hereby certify that R. R. Randolph, III, whose name as Vice President of Norville-Randolph, Inc., a corporation, as General Partner of Norville-Randolph at Greystone, Ltd., a limited partnership, as Managing Venturer of Greystone Close', an Alabama Joint Venture, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation, acting in its capacity as General Partner of Norville-Randolph at Greystone, Ltd., acting in its capacity as Managing Venturer of Greystone Close', as aforesaid.

Given under my hand and official seal this 9th day of February, 1995.


Notary Public
Affix Seal

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