

THIS INSTRUMENT PREPARED BY:
MAYNARD, COOPER & GALE, P.C.
1901 Sixth Avenue North
2400 AmSouth/Harbert Plaza
Birmingham, AL 35203

SEND TAX NOTICE TO:
Jeffrey C. Davis
1682 Wingfield Dr.
Birmingham, Al. 35242

WARRANTY DEED

STATE OF ALABAMA
COUNTY OF SHELBY

KNOW ALL MEN BY THESE PRESENTS,

That in consideration of Two hundred eighty-five thousand and no/100
Dollars (\$ 285,000.00) to the undersigned
grantor or grantors in hand paid by the GRANTEE herein, the receipt
whereof is acknowledged, I, **SHAWN EDWARD CLEARY**, an unmarried man,
(herein referred to as GRANTOR) do grant, bargain, sell and convey
unto Jeffrey C. Davis and Janie M. Davis (herein
referred to as GRANTEE) the following described real estate
situated in SHELBY County, Alabama, to-wit:

Lot 849, according to the Map and Survey of Brook
Highland, 8th Sector, 2nd Phase, as recorded in Map Book
16, Page 96 A & B, in the Probate Office of Shelby
County, Alabama.

SUBJECT TO:

1. All taxes due in the year 1995 and thereafter.
2. Declaration of Protective Covenants, Agreements, Easements, Charges and Liens for Brook Highland as recorded in Book 194, Page 254; Book 181, Page 995, amended in Book 317, Page 767; Instrument 1994-06901 and Instrument #1992-20484. Also restrictions as shown on Map Book 16, Page 96.
3. Drainage easement as recorded in Book 125, Page 238.
4. Reciprocal Easement agreement as recorded in Book 125, Page 249 and Book 199, Page 18.
5. Non-exclusive easement and agreement as set out in Book 194, Page 20.
6. Terms, agreements and right of way to Alabama Power Company as recorded in Book 194, Page 254.
7. Restrictive Covenants regarding watershed property as recorded in Book 194, Page 254.
8. Easement for sanitary sewer lines and water lines as conveyed to The Water Works and Sewer Board of the City of Birmingham by instrument recorded in Book 194, Page 43, and Instrument No. #1992-16102.
9. Sanitary Sewer System, pipelines and related equipment as conveyed to The Water Works and Sewer Board of the City of Birmingham, by instrument recorded in Book 194, Page 43 and Instrument No. #1992-16103.
10. Right of Way granted to Alabama Power Company by instrument(s) recorded in Book 207, Page 380.
11. Easements and building line as shown on recorded map.
12. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto, together with any release of liability for injury or damage to persons or property as a

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Inst # 1995-24490

result of the exercise of such rights as recorded in Instrument #1993-02746.

13. Articles of Incorporation of Brook Highland Homeowner's Association, Inc. as recorded in Real Volume 194, Page 281; and By-Laws of Brook Highland Homeowner's Association, Inc. recorded in Real Volume 194, Page 287 and amended in Real Volume 228, Page 604 and Real Volume 311, Page 78 and instrument #1993/1877.

\$ 256,500.00 of the total consideration recited above was paid from the proceeds of a mortgage loan closed simultaneously herewith.

TO HAVE AND TO HOLD Unto the said GRANTEE, his, her or their heirs and assigns forever.

And I do for myself and for my heirs, executors, and administrators covenant with the said GRANTEE, his, her or their heirs and assigns, that I am lawfully seized in fee simple of said premises; that it is free from all encumbrances, unless otherwise noted above; that I have a good right to sell and convey the same as aforesaid; that I will and my heirs, executors and administrators shall warrant and defend the same to the said GRANTEE, his, her or their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 7th day of July, 1995.

WITNESS:

[Signature]

[Signature] (SEAL)
SHAWN EDWARD CLEARY

STATE OF Georgia
COUNTY OF Gwinnett

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that SHAWN EDWARD CLEARY, whose name is 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, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 7th day of July, 1995.

[Signature]
NOTARY PUBLIC

My Commission Expires:

(SEAL)

Notary Public, Gwinnett County, Georgia
My Commission Expires January 10, 1997
Inst # 1995-24490

09/05/1995-24490
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