

## (RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was  
prepared by: BROWN-TURNER, L.L.C.

SEND TAX NOTICE TO:

STUART N. BANKS  
4525 LAKE VALLEY DRIVE  
BIRMINGHAM, AL 35244

BROWN-TURNER, L.L.C.  
Attorneys at Law  
211 22nd Street North  
Birmingham, Alabama 35203

STATE OF ALABAMA)

COUNTY OF SHELBY)

JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

WARRANTY DEED

Know All Men by These Presents: That in consideration of FIVE HUNDRED DOLLARS and 00/100 (\$500.00) DOLLARS to the undersigned grantor, in hand paid by the GRANTEEES herein, the receipt of which is hereby acknowledged, the said GRANTOR, BANKS HOME BUILDING, INC., does by these presents, grant, bargain, sell and convey unto STUART N. BANKS and MELANIE C. BANKS, HUSBAND AND WIFE, (herein referred to as GRANTEEES, as joint tenants, with right of survivorship, whether one or more) the following described real estate, situated in SHELBY County, Alabama, to-wit:

LOT 30, ACCORDING TO THE AMENDED MAP OF THE COTTAGES AT SOUTHLAKE, RECORDED IN MAP BOOK 16, PAGE 139, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA; TOGETHER WITH AN UNDIVIDED 1/30TH INTEREST EACH IN AND TO THE "COMMON AREA" AS DESIGNATED ON THE SAID RECORD MAP; BEING SITUATED IN SHELBY COUNTY, ALABAMA.

SUBJECT TO:

1. SUBJECT TO THE TAXES FOR THE YEAR BEGINNING OCTOBER 1, 1995, WHICH CONSTITUTE A LIEN, BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 1996.
2. FIFTEEN FOOT BUILDING LINE AS SHOWN BY RECORDED MAP.
3. SEVEN AND ONE-HALF FOOT EASEMENT ON NORTH AND SOUTHEAST, AS SHOWN BY RECORDED MAP.
4. EASEMENT OF UNDETERMINED WIDTH ON EAST, AS SHOWN BY RECORDED MAP.

RESTRICTIONS OR COVENANTS RECORDED IN INSTRUMENT 1994-23884, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA, BUT OMITTING ANY COVENANT OR RESTRICTION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN.

RESTRICTIONS, APPEARING OF RECORD IN INSTRUMENT 1992-14035, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

DECLARATION OF PROTECTIVE COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS, APPEARING OF RECORD IN REAL 199, PAGE 367 AND AMENDED BY INSTRUMENT 1992-14035, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALBAMA.

8. RESTRICTIONS, COVENANTS AND CONDITIONS, APPEARING OF RECORD IN REAL 160, PAGE 495 AND RESTRICTIONS FOR LAND USE, RECORDED IN REAL 160, PAGE 492, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

0911/23/1996-00019  
0911/23/1996-00019

SHELBY COUNTY JUDGE OF PROBATE  
002 MCD 11.50

Inst # 1996-00019

0911/23/1996-00019  
09:12 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 MCD 11.50

9. TRANSMISSION LINE PERMIT TO ALABAMA POWER COMPANY BY INSTRUMENT RECORDED IN DEED BOOK 129, PAGE 572, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
10. EASEMENT FOR ALABAMA POWER COMPANY, AS RECORDED IN REAL 114, PAGE 134 AND REAL 224, PAGE 535, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
11. MINERAL AND MINING RIGHTS INCIDENT THERETO RECORDED IN DEED BOOK 127, PAGE 140 AND DEED BOOK 4, PAGE 542, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
12. RIGHT OF WAY GRANTED TO ALABAMA POWER COMPANY BY INSTRUMENT RECORDED IN INSTRUMENT 1992-26825, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

\$123,750.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

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.

And said GRANTOR does for itself, its successors and assigns, covenant with the said GRANTEES, his, her, or 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 said GRANTEES, his, her, or their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said GRANTOR, BANKS HOME BUILDING, INC., by its PRESIDENT, STUART N. BANKS, who is authorized to execute this conveyance, has hereunto set its signature and seal, this the 27th day of December, 1995.

By: 

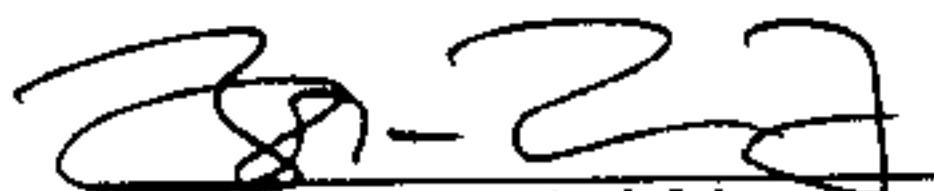
STUART N. BANKS - PRESIDENT

STATE OF ALABAMA     )  
COUNTY OF JEFFERSON    )

#### ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that, STUART N. BANKS whose name as PRESIDENT of BANKS HOME BUILDING, INC., a 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 this the 27th day of December, 1995.



Notary Public

1996-00019

My commission expires:

05/03/98

01/03/1996-00019  
09:12 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 MCD 11.50