

THIS INSTRUMENT PREPARED BY:
JAMES R. MONCUS, JR.
Attorney at Law
1318 Alford Avenue, Suite 102
Birmingham, Alabama 35226

SEND TAX NOTICE TO:

John R. Julian, Jr.
3017 Summerwood Lane
Birmingham, AL 35242

**CORPORATION FORM WARRANTY DEED
JOINTLY FOR LIFE WITH REMAINDER TO SURVIVOR**

STATE OF ALABAMA)

JEFFERSON COUNTY)

KNOW ALL MEN BY THESE PRESENTS, that in consideration of Two Hundred Thirty-Four Thousand Three Hundred Ninety and no/100 (\$234,390.00) Dollars to the undersigned Grantor

DYAR CONSTRUCTION, INC.

a corporation (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

JOHN R. JULIAN, JR. AND ELAINE H. JULIAN

(herein referred to as Grantees) for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, together with every contingent remainder and right of reversion, the following described real estate, situated in SHELBY County, Alabama, to-wit:

Lot 5, according to the Amended Map of Summerwood Subdivision, as recorded in Map Book 20, Page 68, in the Office of the Judge of Probate of Shelby County, Alabama; being situated in Shelby County, Alabama.

Subject to all easements, restrictions and rights-of-way of record.
Subject to ad valorem taxes for the current year and thereafter.

\$30,000.00 of the above mentioned consideration was paid from the proceeds of a mortgage loan closed simultaneously herewith.

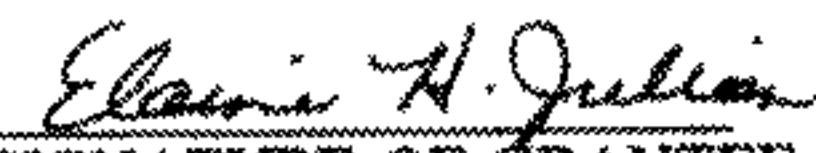
By Grantees acceptance of this deed, Grantees hereby covenant and agree for themselves and their successors, assigns, licensees, lessees, employees and agents that Grantor shall not be liable for, and no action shall be asserted against Grantor for loss or damage on account of injuries to the property or to any buildings, improvements or structures now or hereafter located upon the property or on account of injuries to any owner, occupant, or other person in or upon the property, which are caused by, or arise as a result of, past or future soil and/or subsurface conditions, known or unknown, (including, without limitations, sinkholes, underground mines, and limestone formations) under or on the property or any other property now or hereafter owned by Grantor, whether contiguous or non-contiguous to the property. For purpose of this paragraph the terms Grantor shall mean and refer to (i) the partners, agents, and employees of Grantor; (ii) the officers, directors, employees and agents of Grantor, and partners

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thereof; (iii) any successors or assigns of Grantor; and (iv) any successors and assigns of Grantors interest in the property. This covenant and agreement shall run with the land conveyed hereby as against Grantees, and all persons, firms, trusts, partnerships, and limited partnerships, corporations, or other entities holding under or through the Grantees.


SIGNATURE OF GRANTEE
John R. Julian, Jr.


SIGNATURE OF GRANTEE
Elaine H. Julian

TO HAVE AND TO HOLD, To the said Grantees for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, and to the heirs and assigns of such survivor forever, together with every contingent remainder and right of reversion. And said Grantor does for itself, its successors and assigns, covenant with said Grantees, their heirs and assigns, that is lawfully seized in fee simple of said premises, that they are free from all encumbrances, 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, their heirs, executors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said Grantor, by its President, who is authorized to execute this conveyance, has hereto set its signature and seal this the 17th day of January, 1996.

DYAR CONSTRUCTION, INC.

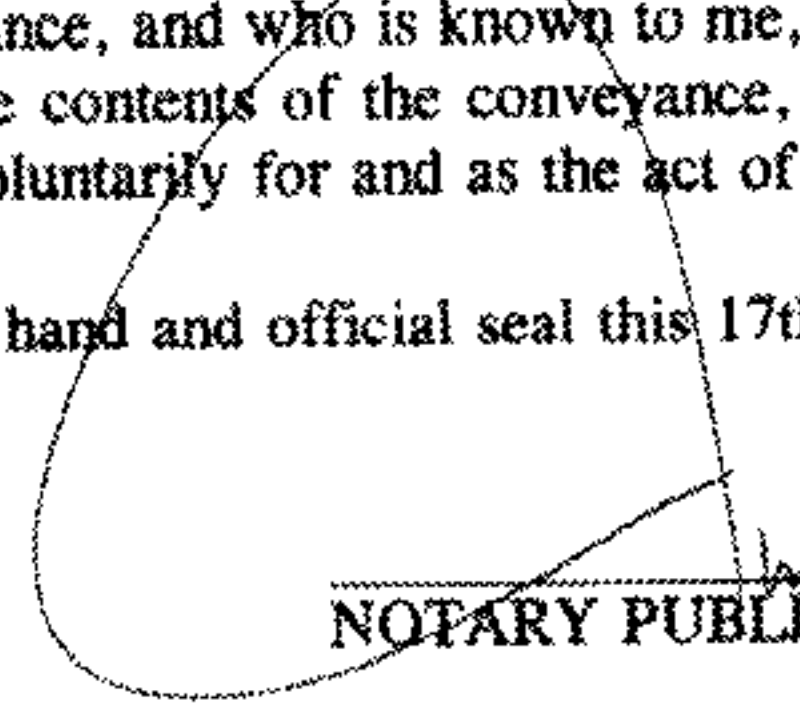
By: 
Its President

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that **Ron Dyar**, whose name as President of **Dyar Construction, 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 and official seal this 17th day of January, 1996.


NOTARY PUBLIC

My Commission Expires: 2/23/96

Inst # 1996-02547

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