

Form furnished by LAND TITLE COMPANY

This instrument was prepared by

Send Tax Notice To:

DAVID F. OVSON, Attorney at Law

WARREN K. BAILEY

(Name) 728 Shades Creek Parkway, Suite 120
Birmingham, Alabama 35209

(Name) 1890 Wehapa Lake Circle
Leeds, AL 35094

(Address)

(Address)

WARRANTY DEED

STATE OF ALABAMA
COUNTY OF JEFFERSON

KNOW ALL MEN BY THESE PRESENTS,

That in consideration of One Hundred Ten Thousand and No/100 (\$110,000.00)----- Dollars

to the undersigned grantor, or grantors in hand paid by the GRANTEES herein, the receipt whereof is acknowledged, we,

S. W. SMYER, III, an unmarried man and DAVID F. OVSON, as trustee of the
WALTER B. EVANS REAL ESTATE TRUST, dated April 11, 1996

(herein referred to as grantor, whether one or more) do, grant, bargain, sell and convey unto WARREN K. BAILEY

(herein referred to as grantee, whether one or more), the following described real estate situated in Shelby
County, Alabama, to-wit:

See the attached Exhibit "A" for the legal-description of the property
conveyed herein which is incorporated herein and made a part hereof.

Inst # 1996-12506

Inst # 1996-12506

04/17/1996-12506
01:33 PM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE
003 MCD 123.50

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

And I (we) do for myself (ourselves) and for my (our) heirs, executors, and administrators covenant with the said GRANTEES, their heirs
and assigns, that I am (we are) lawfully seized in fee simple of said premises, that they are free from all encumbrances, unless otherwise noted
above; that I (we) have a good right to sell and convey the same as aforesaid; that I (we) will and my (our) heirs, executors and administrators shall
warrant and defend the same to the said GRANTEES, their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, we have hereunto set our hand(s) and seal(s), this 11th day of

April 19 96

S. W. SMYER, III

(Seal)

DAVID F. OVSON, AS TRUSTEE
OF THE WALTER B. EVANS
REAL ESTATE TRUST

(Seal)

(Seal)

STATE OF ALABAMA
COUNTY OF JEFFERSON

General Acknowledgment

I, the undersigned, a Notary Public in and for said County in said State, hereby
certify that S. W. SMYER, III, an unmarried man, whose name(s) 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 executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this the 11th day of April 1996.

Notary Public

NOTARY PUBLIC STATE OF ALABAMA AT LARGE.
MY COMMISSION EXPIRES: June 29, 1996.
BONDED THRU NOTARY PUBLIC UNDERWRITERS.

STATE OF ALABAMA

JEFFERSON COUNTY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that David F. Ovson as Trustee of the Walter B. Evans Real Estate Trust, dated April 11, 1996, whose name as trustee 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 the conveyance he, in his capacity aforesaid and with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 11th day of October, 1996.


NOTARY PUBLIC

My commission expires: NOTARY PUBLIC STATE OF ALABAMA AT LARGE.
MY COMMISSION EXPIRES: June 29, 1996.
BONDED THRU NOTARY PUBLIC UNDERWRITERS.

EXHIBIT A
(Real Estate Description)

PARCEL I:

Lot No. 17, according to the Map and Survey of Mountain View Lake Company, Second Sector, as recorded in Map Book 3, Page 150, in the Office of the Judge of Probate of Shelby County, Alabama.

PARCEL II:

Lot No. 18, according to the Map and Survey of Mountain View Lake Company, Second Sector, as recorded in Map Book 3, Page 150, in the Office of the Judge of Probate of Shelby County, Alabama.

SUBJECT TO:

1. Ad valorem taxes for the year 1996, which are a lien, but not yet due and payable until October 1, 1996.
2. Right of way to Water Works Board of the City of Birmingham in Real Volume 69, Page 423. (Parcels I and II)
3. Agreement as recorded in Instrument No. 1993-8111. (Parcels I and II)
4. Restrictions appearing of record in Deed Book 172, Page 236. (Parcels I and II)
5. Restrictions appearing of record in Deed Book 223, Page 559. (Parcel I)
6. Title to all minerals within and underlying the premises, together with all mining rights and rights, privileges and immunities relating thereto, together with any release of liability for injury and damage to persons or property as a result of the exercise of such rights as recorded in Deed Book 223, Page 559 (Parcel I) and Deed Book 217, Page 734 (Parcel II).
7. Right of way granted to Alabama Power Company by instrument(s) recorded in Deed Book 182, Page 25. (Parcels I and II)
8. Riparian and other rights created by the fact that the subject property fronts on Smyer Lake. (Parcels I and II)

By acceptance of the delivery of this deed, Grantee herein agrees that both Lots 17 and 18, Mountain View Lake Company, Second Sector, shall be used as one combined lot with only one residential dwelling house ever being constructed on the said combined lot. This restriction shall be binding on the heirs, assigns, and grantees of Grantee herein and shall run with the land.

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