

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

Send Tax Notice to:  
William M. Midlik  
Mollie W. Key Midlik  
113 Greystone Glen Drive  
Birmingham, Al 35242

## WARRANTY DEED

State of Alabama

KNOW ALL MEN BY THESE PRESENTS,

Shelby County

That in consideration of Two Hundred Twenty-Five Thousand Four Hundred and 00/100 (\$225,400.00) Dollars to the undersigned grantor in hand paid by the GRANTEE herein, the receipt whereof is acknowledged, I, Mike Cherry, married (herein referred to as grantor) do grant, bargain, sell and convey unto William M. Midlik and Mollie W. Key Midlik (herein referred to as GRANTEE) 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. Ad valorem 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. Easement(s) to Alabama Power Company as shown by instrument recorded in instrument #1992/26824 in Probate Office.
7. 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 #1993-29820 in Probate Office.
8. 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 #1993-29820 in Probate Office.
9. Agreement between Daniel Oak Mountain Limited Partnership, an Alabama Limited Partnership and Shelby Cable, Inc. recorded in Real 350 page 545 in Probate Office.
10. Easement to Alabama Power Company as set out by instrument recorded in Real 386, page 389, in Probate Office.

This property is not the homestead of the grantor, nor his/her spouse.

\$180,000.00 of the purchase price recited above was paid from the proceeds of a mortgage loan closed simultaneously herewith.

And I do for myself and for my heirs, executors, and administrators covenant with the said GRANTEE, his/her heirs and assigns, that I am lawfully seized in fee simple of said premises; that they are 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 heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 19th day of November, 1996.

X Mike Cherry (Seal)  
Mike Cherry

### STATE OF ALABAMA JEFFERSON COUNTY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Mike Cherry, married whose name 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/she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 19th day of November, 1996.

Notary Public  
Affix Seal

Inst # 1996-38820

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11/25/1996-38820

09:14 AM CERTIFIED

DEPT. COUNTY CLERK OF PROBATE

SHS