

SEND TAX NOTICE TO:  
 Rudy R. James and Linda G. James  
 3569 Shandwick Place  
 Birmingham, Alabama 35242

STATUTORY DEED

STATE OF ALABAMA

JEFFERSON COUNTY

KNOW ALL MEN BY THESE PRESENTS.

That for and in consideration of Four Hundred Twenty-Five and No/100 (\$425,000.00) DOLLARS, to the undersigned grantor, NATIONAL BANK OF COMMERCE OF BIRMINGHAM, A National Banking Association, (hereinafter referred to as "Grantor"), in hand paid, RUDY R. JAMES and LINDA G. JAMES (hereinafter referred to as "Grantees"), the receipt, adequacy and sufficiency whereof are hereby acknowledged, the said NATIONAL BANK OF COMMERCE OF BIRMINGHAM, A National Banking Association, does by these presents, grant, bargain, sell and convey unto the said RUDY R. JAMES and LINDA G. JAMES, for and during their joint lives and upon 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 real estate, located and situated in Shelby, Alabama:

Lot 43, according to the Survey of Greystone, 1st Sector, Phase I, as recorded in Map Book 14, page 91 A & B, in the Probate Office of Shelby County, Alabama.

Together with the non-exclusive easement to use the private roadways, common areas and Hugh Daniel Drive, all as more particularly described in the Greystone Residential Declaration of Covenants, Conditions and Restrictions dated 11-6-90 and recorded in Real 317, page 260, in the Probate Office of Shelby County, Alabama, and all amendments thereto (which, together with all amendments thereto, is hereafter collectively referred to as the "Declaration").

SUBJECT TO:

1. Ad valorem taxes for the year 1997, which are a lien, but not yet due and payable until October 1, 1997.
2. Statutory rights of redemptions existing under the Laws of the State of Alabama arising from that certain mortgage foreclosure deed recorded as Instrument No. 1996-37545.
3. 50 foot building line on front and rear as shown by recorded map.
4. 15 foot easement on side setbacks and 10 foot easement on rear and 10 foot easement on rear, as shown by recorded map.
5. Mineral and mining rights and rights incident thereto, Release of Damages and Restrictions recorded in Real 385, page 18 and Instrument No. 1992-4734.
6. Restrictions appearing of record in Real 317, page 260; Real 265, page 96; Real 319, page 235; Real 333, page 415; and Real 336, page 281.
7. Right of way granted to Alabama Power Company by instrument recorded in Volume 109, page 505; Volume 112, page 517; Volume 305, page 637; and Real 333, page 138.

01/08/1997-00752  
 02:10 PM CERTIFIED  
 SHELBY COUNTY JUDGE OF PROBATE  
 003 HCB 208.50

Inst # 1997-00752

8. Rights of others to use of Hugh Daniel Drive as set out in instrument recorded in Deed Book 301, page 799.

9. Covenants and Agreement for Water Service recorded in Real 235, page 574.

10. Reciprocal Easement Agreement pertaining to access and roadway easements as set out in Real 312, page 274, amended by Real 317, page 253.

11. Mineral and mining rights and rights incident thereto in Volume 4, page 486; Volume 121, page 294; and Volume 60, page 260.

12. Right of way and easement to Alabama Power Company for distribution as recorded in Real 333, page 138.

13. Release of Damages as recorded in Real 317, page 260.

14. NOTE: Map Book 14, page 91 shows the following reservation: Sink Hole Prone Areas-The Subdivision shown hereon including lots and streets, lies in an area where natural lime sinks may occur. Shelby County, the Shelby County Engineer, the Shelby County Planning Commissioner and the individual members thereof and all other agents, servants or employees of Shelby County, Alabama, make no representations that the subdivision lots and streets are safe or suitable for residential construction, or for any other purpose whatsoever. "Area underlain by limestone and thus may be subject to lime sink activity."

15. Restrictions regarding Alabama Power Company recorded in Real 364, page 396.

\$230,000.00 of the purchase priced recited herein was derived from the proceeds of a mortgage loan closed simultaneously herewith.

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.

No word, words, or provisions of this instrument are intended to operate as to imply covenants of warranty except the following: Grantor does hereby specially warrant the title to said property against lawful claim of all persons claiming by, through or under the Grantor.

IN WITNESS WHEREOF, NATIONAL BANK OF COMMERCE OF BIRMINGHAM, A National Banking Association, has caused this conveyance to be executed by its Senior Vice President, who is hereunto duly authorized, this 30th day of December, 1996.

NATIONAL BANK OF COMMERCE  
OF BIRMINGHAM, A National  
Banking Association

ATTEST:

BY:

[Signature]  
ITS Senior Vice President

BY:

[Signature]  
Its Senior Vice President

STATE OF ALABAMA

JEFFERSON COUNTY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that William G. Sanders, Jr. whose name as Senior Vice President of NATIONAL BANK OF COMMERCE OF BIRMINGHAM, A National Banking Association, is signed to the foregoing conveyance, and who is known to me, acknowledged before me 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 30th day of December, 1996.

  
NOTARY PUBLIC

My commission expires: NOTARY PUBLIC STATE OF ALABAMA AT LARGE  
MY COMMISSION EXPIRES: May 29, 1999

Affix Notarial Seal

THIS INSTRUMENT WAS PREPARED BY:  
DAVID F. OVSON, Attorney at Law  
Lange, Simpson, Robinson & Somerville  
728 Shades Creek Parkway, Suite 120  
Birmingham, Alabama 35209

Inst # 1997-00752

01/08/1997-00752  
02:10 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
003 HCB 208.50