

THIS INSTRUMENT PREPARED BY:
James J. Odom, Jr.
P.O. Box 11244
Birmingham, AL 35202-1244

SEND TAX NOTICE TO:
Roy Martin Construction, Inc.
Post Office Box 9
Pelham, AL 35124

STATE OF ALABAMA)

COUNTY OF SHELBY)

Inst. # 1997-02592

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS THAT in consideration of Five Hundred Eighty-Eight Thousand and No/100 Dollars (\$588,000.00), and other good and valuable consideration, paid to the undersigned grantor, Donald R. Murphy, a married man ("Grantor"), by Roy Martin Construction, Inc. ("Grantee"), the receipt and sufficiency whereof are hereby acknowledged, Grantor does by these presents, grant, bargain, sell and convey unto the Grantee the following described real estate situated in Shelby County, Alabama (the "Premises"), to-wit:

Lots 1 through 20, inclusive, and 35 through 56, inclusive, according to the Survey of Sommersby Townhomes as recorded in Map Book 20, Page 112, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

Mineral and mining rights excepted.

This property does not constitute the homestead of the Grantor herein.

SUBJECT TO: (1) Current taxes; (2) Building setback line(s) and Public easement(s) as shown by record plat; (3) Restrictions, covenants and conditions as set out in instrument(s) recorded in Inst. #1994-0484 in Probate Office; (4) Transmission Line Permit(s) to Alabama Power Company as shown by instrument(s) recorded in Deed Book 194, Page 67; Deed Book 198, Page 509; Deed Book 119, Page 111; Deed Book 103, Page 146; Deed Book 161, Page 143; Deed Book 179, Page 384; Deed Book 135, Page 366 and Deed Book 135, Page 362, in Probate Office; (5) 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 Inst. #1994-26798 in Probate Office; (6) Restrictions, limitations and conditions as set out in Map Book 20, page 112, in Probate Office; (7) Location of power poles and lines as shown on the survey by Amos Corey dated 03/15/88;

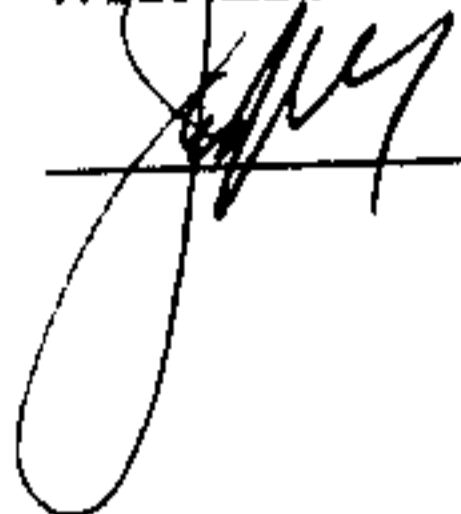
TO HAVE AND TO HOLD to the Grantee, its successors and assigns forever.

And Grantor does for himself, his heirs and assigns, covenant with Grantee, its successors and assigns, that he is lawfully seized in fee simple of the Premises; that the Premises are free from all encumbrances, except as noted above; that Grantor has a good right to sell and convey the Premises as aforesaid; that Grantor will, and his heirs and assigns shall, warrant and defend the same to the Grantee, its successors and assigns forever, against the lawful claims of all persons.

01/27/1997-02592
09:08 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
\$99.00
002 PEL

IN WITNESS WHEREOF, the undersigned has executed this conveyance on this the 23rd day of January, 1997.

WITNESS:


_____

Donald R. Murphy

STATE OF ALABAMA)

COUNTY OF SHELBY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Donald R. Murphy, a married man, 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 executed the same voluntarily on the day the same bears date.

Given under my hand and seal this 23rd day of January, 1997.



Notary Public

My Commission Expires: 22 May 99

Inst # 1997-02592
01/27/1997-02592
09:08 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 HEL 599.00