

Send Tax Notice To:
Arthur Howard Homes, Inc.

STATE OF ALABAMA)

Inst # 1997-05792

SHELBY COUNTY)

02/24/1997-05792
01:54 PM CERTIFIED

WARRANTY DEED

THIS IS A WARRANTY DEED executed and delivered this 24 day of February, 1997, by **P & R Southland Properties, Inc.**, an Alabama corporation, Mary J. Raines an unmarried woman, and Frank E. Plan, an unmarried man (hereinafter referred to as the "Grantors") to **Arthur Howard Homes, Inc.**, an Alabama corporation (hereinafter referred to as the "Grantee").

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of the sum of Thirty-Six Thousand Four Hundred Thirteen and 04/100ths Dollars (\$36,413.04) and other valuable consideration in hand paid by the Grantee to Grantors, the receipt and sufficiency of which are hereby acknowledged, the Grantors do by these presents, grant, bargain, sell and convey unto the Grantee, the interest of Grantors in the real estate specifically described as follows and located in Shelby County, Alabama, to-wit:

Lot 16-A, according to a resurvey of Lot 16 and Pump Station Site of Riverchase Cove, as recorded in Map Book 21, Page 48 in the Probate Office of Shelby County, Alabama;

TOGETHER WITH all appurtenances thereto belonging or in anywise appertaining and all right, title and interest of Grantors in and to any and all roads, alleys and ways bounding said premises.

This conveyance is subject to the following:

1. Ad valorem taxes (per separate agreement) and assessments for 1997;
2. Building setback line of 10 feet, public easements and restrictions, limitations and conditions as set out in the Survey of Riverchase Cove recorded in Map Book 20, page 109;
3. Declaration of Protective Covenants, Agreements, Easements, Charges and Liens for Riverchase Residential Association recorded in Misc. Book 14, Page 536, and amended in Misc. Book 17, Page 550; Notice of Compliance Certificate recorded in Misc. Book 34, Page 549 and amended by Inst. No. 1994-5727 including a Release of Damages;
4. Title to all mineral 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 127, Page 140, Deed Book 129, Pages 129 and 205, Deed Book 111, Page 625;
5. Declaration of Special Covenants for Riverchase Cove as recorded in Inst. No. 1996-02164.
6. Easement to Alabama Power Company as shown by instrument recorded in Deed Book 335, Page 35 and Inst. No. 1994-11652.
7. Covenant and agreement regarding septic tank and field lines as set out in Inst. #1994-5727.

\$ 161,250.00 was paid from the proceeds of a mortgage loan closed simultaneously.

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

And said Grantors do for themselves, their heirs, administrators, successors and assigns, covenant with said Grantee, its successors and assigns, that it is lawfully seized in fee simple of said premises; that said premises are free from all encumbrances, except as noted above; 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 Grantee, its successors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the Grantors have caused this Warranty Deed to be executed on the date first written above.

P & R SOUTHLAND PROPERTIES, INC.

By: Frank E. Plan
Its: President

Mary J. Raines
Mary J. Raines

Frank E. Plan
Frank E. Plan

Inst # 1997-05792

STATE OF ALABAMA)

SHELBY COUNTY)

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Frank E. Plan, whose name as President of P & R SOUTHLAND PROPERTIES, INC., an Alabama corporation is signed to the foregoing Warranty Deed, and who is known to me, acknowledged before me on this day that, being informed of the contents of the Warranty Deed, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation on the day the same bears date.

Given under my hand this 12/2 day of February, 1997.

James D. McKeeney
Notary Public

My Commission Expires: 10-27-97

STATE OF ALABAMA)

SHELBY COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Mary J. Raines an unmarried woman, and Frank E. Plan, an unmarried man, whose names are signed to the foregoing Warranty Deed, and who are known to me, acknowledged before me on this day that, being informed of the contents of the Warranty Deed, they executed the same voluntarily on the day the same bears date.

Given under my hand this 12/2 day of February, 1997.

James D. McKeeney
Notary Public

My Commission Expires: 10-27-97

THIS INSTRUMENT PREPARED BY:
Berkowitz, Lofkovits, Isom & Kushner, P.C.
1600 SouthTrust Tower
Birmingham, Alabama 35203