

THIS INSTRUMENT PREPARED BY:

SEND TAX NOTICES TO:

CABANISS, JOHNSTON, GARDNER,
DUMAS & O'NEAL (FGB)
Post Office Box 830612
Birmingham, Alabama 35283-0612
205/716-5200 (TEL) 205/716-5389 (FAX)

F. Gerald Burnett
304 Carnoustie North
Shoal Creek, AL 35242

410,000.00

Inst # 1997-10282

WARRANTY DEED

STATE OF ALABAMA)

SHELBY COUNTY)

KNOW ALL MEN BY THESE PRESENTS: That in consideration of TEN AND NO/100---Dollars (\$10.00) and other good and valuable consideration to the undersigned GRANTOR in hand paid by the GRANTEE herein, the receipt whereof is hereby acknowledged, the undersigned **BRIARWOOD PRESBYTERIAN CHURCH**, an Alabama nonprofit corporation (herein referred to as "GRANTOR"), does hereby grant, bargain, sell and convey unto **F. GERALD BURNETT**, a married man (herein referred to as "GRANTEE"), the following described real estate situated in Shelby County, Alabama, to-wit:

Lot 220-C according to the Lewis Resurvey, as recorded in Map Book 18, Page 56, in the office of the Judge of Probate of Shelby County, Alabama,

together with all and singular the improvements thereon and the appurtenances thereunto belonging or in any way appertaining thereto.

This conveyance is expressly subject to the following:

1. Ad valorem taxes due in the year 1997 which are a lien but not due and payable until October 1, 1997;
2. A 17-foot easement on the northeast and southeast as shown by recorded map in Map Book 18, Page 56, in the office of the Judge of Probate of Shelby County, Alabama;
3. Restrictions as shown by recorded map in Map Book 18, Page 56, in the office of the Judge of Probate of Shelby County, Alabama;
4. Mineral and mining rights and rights incident thereto recorded in Volume 129, Page 294, in the office of the Judge of Probate of Shelby County, Alabama;

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5. Restrictions appearing in (i) Miscellaneous Volume 19, Page 861, (ii) Miscellaneous Volume 23, Page 564 and (iii) Miscellaneous Volume 23, Page 567, all as recorded in the office of the Judge of Probate of Shelby County, Alabama;

6. Easement to Water Works Board of the City of Birmingham recorded in Volume 301, Page 298, in the office of the Judge of Probate of Shelby County, Alabama;

7. Right-of-way to South Central Bell recorded in (i) Volume 306, Page 240 and Volume 306, Page 242, each appearing in the office of the Judge of Probate of Shelby County, Alabama;

8. Agreement with Alabama Power Company recorded in (i) Volume 308, Page 651, (ii) Volume 21, Page 855, (iii) Volume 26, Page 746 and (iv) Volume 26, Page 848, each appearing in the office of the Judge of Probate of Shelby County, Alabama.

TO HAVE AND TO HOLD the aforegranted premises to the said GRANTEE, his heirs, executors, administrators, and assigns, in fee simple, forever.

AND the GRANTOR does for itself, and for its successors and assigns, covenant with the said GRANTEE, his heirs, executors, administrators and assigns, that GRANTOR is lawfully seized in fee simple of said premises; that the said premises are free from all encumbrances, unless otherwise noted above; that GRANTOR has a good right to sell and convey the said premises as aforesaid; and that GRANTOR will, and its successors and assigns shall, warrant and defend the same to the said GRANTEE, his heirs, executors, administrators and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, GRANTOR, through its President, Thomas W. Harris, Jr., has hereunto set its signature and seal hereto on this, the 2nd day of April, 1997.

BRIARWOOD PRESBYTERIAN CHURCH

By Thomas W. Harris, Jr.

Thomas W. Harris, Jr.

Its: President

ATTEST:

By: Thomas F. Leopard

Thomas F. Leopard

Its: Secretary

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for the State of Alabama at Large, do hereby certify that Thomas W. Harris, Jr., whose name as President of BRIARWOOD PRESBYTERIAN CHURCH, an Alabama nonprofit corporation; is signed 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, as such officer and with full authority, executed the same voluntarily for and as the act of said nonprofit corporation.

GIVEN under my hand and official seal of office on this, the 2nd day of April, 1997.

Lucianne C. Pugh
NOTARY PUBLIC in and for the
State of Alabama at Large

My Commission Expires: 7/22/99

[NOTARIAL SEAL]

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