

This instrument was prepared by:
Mary Lynn Campisi
3008 Pump House Road
Birmingham, AL 35242

Send Tax Notice To:
Gary W. Thomas
1118 Highland Lakes Circle
Birmingham, Alabama 35242

CORPORATION FORM WARRANTY DEED

STATE OF ALABAMA)

) KNOW ALL MEN BY THESE PRESENTS:

JEFFERSON COUNTY)

\$ 512,500.00

That in consideration of TEN AND NO/100-----(\$10.00) Dollars and other good and valuable consideration to the undersigned Grantor in hand paid by the Grantee herein, the receipt whereof is acknowledged, **DKM ENTERPRISES, INC., an Alabama corporation** (herein referred to as GRANTOR) does grant, bargain, sell and convey unto **GARY W. THOMAS** (herein referred to as GRANTEE), the following described real estate situated in **SHELBY County, Alabama**, to-wit:

Lot 141, according to the Survey of Highland Lakes, 1st Sector, as recorded in Map Book 18, page 37 A-G, in the Office of the Judge of Probate, Shelby County, Alabama; being situated in Shelby County, Alabama.

Together with nonexclusive easement to use the private roadways, common areas, all as more particularly described in the Declaration of Easements and Master Protective Covenants for Highland Lakes, a Residential Subdivision, recorded as Instrument #1994-07111 in the Probate Office of Shelby County, Alabama, and the Declaration of Covenants, Conditions and Restrictions, for Highland Lakes, a Residential Subdivision, 1st Sector, recorded as Instrument #1996-27987 in the Probate Office of Shelby County, Alabama, (which together with all amendments thereto, is hereinafter collectively referred to as the "Declaration").

LESS AND EXCEPT the following:

Commence at the NW corner of Lot 142, Highland Lakes, 1st Sector, as recorded in Map Book 18, page 37 A - G in the Office of the Judge of Probate, Shelby County, Alabama, being also the NE corner of Lot 141 along the Easterly right of way of Highland Lakes Circle, being the point of beginning; thence run Southwesterly along the right of way of Highland Lakes Circle being a curve concave Northwesterly with a radius of 305.0 feet and a central angle of 9 degrees 23 minutes 34 seconds; thence run along the arc of said curve 50.00 feet; thence Southeasterly with an interior angle right of 122 degrees 29 minutes 44 seconds, from the chord 194.88 feet; thence Northerly with an interior angle of 16 degrees 56 minutes 33 seconds, 206.80 feet along the Easterly lot line of Lot 141; thence an interior angle right of 125 degrees 51 minutes 32 seconds, 30.00 feet to the point of beginning; being situated in Shelby County, Alabama.

The above property is conveyed subject to:

1. Ad Valorem taxes for the year 1997 and subsequent years, said taxes being a lien but not due and payable until October 1, 1997.
2. \$333,125.00 of the consideration stated hereinabove was paid from the proceeds of a mortgage loan of even date and closed simultaneously herewith.

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SHELBY COUNTY JUDGE OF PROBATE
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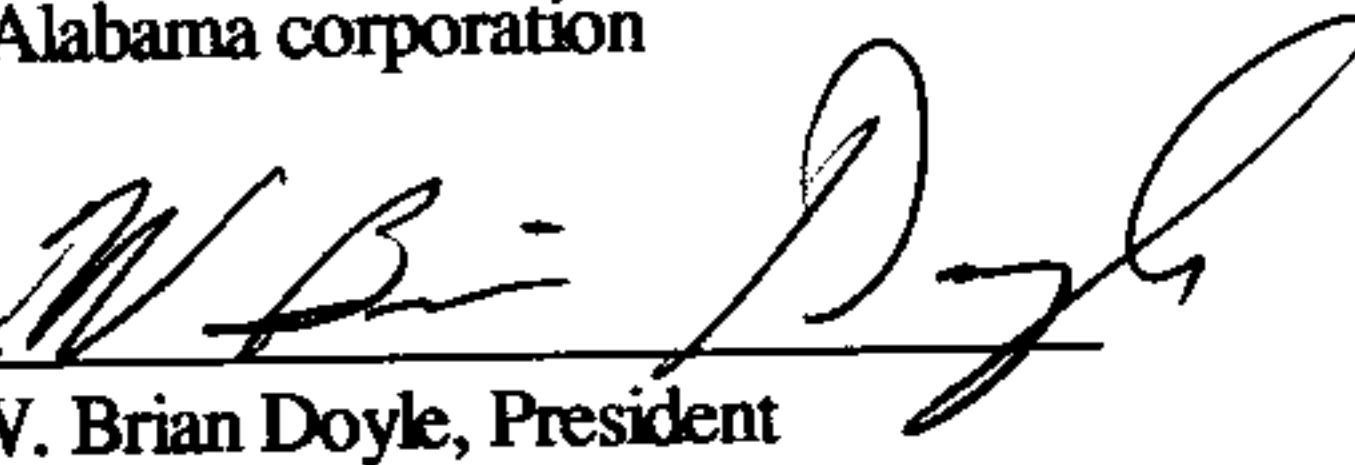
3. Any loss, claim, damage or expense including additional tax due, if any, due to the fact that ad valorem taxes for subject property have been paid under a current use assessment. (See 1975 Code of Alabama Section 40-7-25.3)
4. Public easements as shown by plat recorded in the Probate Office of Shelby County, Alabama.
4. Building setback line as set out in the restrictive covenants recorded in Instrument #1994-7112 and Map Book 18, page 37, A, B, C, D, E, F & G, in said Probate Office.
5. Right-of-Way granted to Alabama Power Company by instrument recorded in Book 111, page 408, in said Probate Office.
6. Right-of-Way granted to Alabama Power Company by instruments recorded in Book 109, page 70; Book 149, page 380; Book 276, page 670 and Book 173, page 364, in said Probate Office.
7. Right of Way granted to Shelby County, Alabama by instrument recorded in Book 196, page 246, in said Probate Office.
8. Right of Way granted to Alabama Power Company by instruments recorded in Book 133, page 210 and Real 31, page 355, in said Probate Office.
9. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto, as to the SW ¼ of SW ¼, Section 9, Township 19, Range 1, including rights set out in Book 28, page 237, in said Probate Office.
10. Restrictions, covenants and conditions as set out in instruments recorded in Map Book 18, page 37 A, B, C, D, E, F & G; as Instrument #1994/7111 and as Instrument #1994/7112, in said Probate Office.
11. Lake Easement Agreement executed by Highland Lake Properties, Ltd. and Highland Lake Development, Ltd., providing for easements, use by others, and maintenance of Lake property described within Instrument #1993/15705, in said Probate Office.
12. Easement for ingress and egress to serve Highland Lakes Development executed by Highland Lakes Development, Ltd., to Highland Lakes Properties, Ltd., recorded as Instrument #1993/15704, in said Probate Office.
13. Right-of-Way granted to Shelby County, Alabama by instrument recorded in Book 196, page 246, in said Probate Office.
14. Right-of-Way granted to Alabama Power Company by instruments recorded in Book 133, page 210 and Real Volume 31, page 355, in said Probate Office.
15. Agreement with Alabama Power Company as to covenants pertaining thereto, recorded as Instrument #1994/1186, in said Probate Office.
16. Release of damages, restrictions, modifications, covenants, conditions, rights, privileges, immunities and limitations, as applicable, as set out in, and as referenced in deeds recorded in Instrument #1994-15681 and Instrument #1996-16030, in said Probate Office.

17. Less and except any portion of subject property lying within Lake.

TO HAVE AND TO HOLD to the said GRANTEE, forever. And said GRANTOR does for itself, its successors and assigns, covenant with said GRANTEE, his heirs and assigns, that it is lawfully seized in fee simple of said premises, that they are free from all encumbrances, 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, his heirs, executors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said GRANTOR, DKM ENTERPRISES, INC., an Alabama corporation by its President, who is authorized to execute this conveyance, has hereto set its signature and seal, this the 10th day of April, 1997.

DKM ENTERPRISES, INC.,
an Alabama corporation

By: 
W. Brian Doyle, President

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that W. Brian Doyle whose name as President of DKM ENTERPRISES, INC., an Alabama corporation 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 as such officer and with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 10th day of April, 1997.


Notary Public
My Commission Expires: 6/16/99

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