

This instrument prepared by:
John N. Randolph, Attorney
Srote & Permutt P.C.
2222 Arlington Avenue
Birmingham, Alabama 35206

Send Tax Notice to:
Lillian S. Rogers
William R. Rogers, III
Margaret S. Rogers

CORPORATION FORM WARRANTY DEED, JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

State of Alabama

KNOW ALL MEN BY THESE PRESENTS,

Jefferson County

That in consideration of Two Hundred Thirty Thousand and 00/100 (\$230,000.00) Dollars to the undersigned grantor, Davis Development Co., Inc. a corporation, in hand paid by Lillian S. Rogers, William R. Rogers, III and Margaret S. Rogers, the receipt whereof is acknowledged, the said Davis Development Co., Inc. does by these presents, grant, bargain, sell and convey unto Lillian S. Rogers, William R. Rogers, III, and Margaret S. Rogers, as joint tenants, with right of survivorship, the following described real estate situated in Shelby County, Alabama, to-wit:

Lot 34, according to the Survey of The Glen at Graystone, Sector Three, as recorded in Map Book 16, page 79, in the Probate Office of Shelby County, Alabama. Minerals and mining rights excepted.

Subject to:

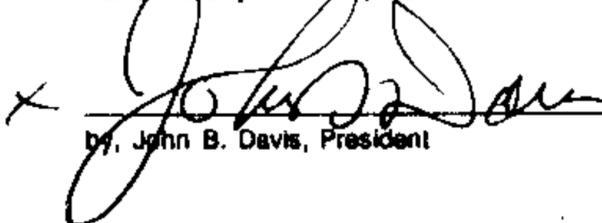
1. Advalorem taxes for the current tax year which grantees herein assume and agree to pay.
2. Easement as shown on recorded Map.
3. 20 foot building restriction line from Thornberry Circle as shown on recorded Map.
4. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto as recorded in Deed Book 121, page 294, and in Deed Book 60, page 280.
5. Rights of others in and to the use of Hugh Daniel Drive as set forth in Deed Book 301, page 799.
6. Covenant and Agreement for Water Service as set forth in Real Book 235, page 574.
7. Amended and restated Restrictive Covenants set forth in Real Book 265, page 96.
8. Graystone Close' Development Declaration of Covenants, Conditions, and Restrictions as recorded in Real 346, page 873; and First Amendment as recorded in Real 380, page 635, as amended by instrument titled Graystone Residential Variance recorded in instrument #1994-18196, in Probate Office.
9. Graystone Close' Developmental Reciprocal Easement Agreement which gives access to certain cross easements and Hugh Daniel Drive and provides for certain assessments for maintenance of the same as recorded in Real 346, page 848; and First Amendment as recorded in Real 380, page 380, page 639, in Probate Office.
10. Agreement between Daniel Oak Mountain Limited Partnership, an Alabama Limited Partnership and Shelby Cable, Inc., recorded in Real 350, page 545, in the Probate Office.

TO HAVE AND TO HOLD Unto the said GRANTEES as joint tenants, with right of survivorship, their heirs and assigns forever; it being the intention of the parties to this conveyance, that (unless the joint tenancy hereby created is severed or terminated during the joint lives of the grantees herein) in the event of the death of one grantee herein, the entire interest in fee simple shall pass to the surviving grantees as joint tenants with right of survivorship, their heirs and assigns forever; and upon the death of a second grantee, the entire interest in fee simple shall pass to the surviving grantee, his/her heirs and assigns forever; and if one grantee does not survive the others, then the heirs and assigns of the grantees herein shall take as tenants in common.

And said Davis Development Co., Inc. does for itself, its successors and assigns, covenant with said Lillian S. Rogers and William R. Rogers, III, their heirs and assigns, that it is lawfully seized in fee simple of said premises, that they are free from all encumbrances unless otherwise 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 Lillian S. Rogers, William R. Rogers, III and Margaret S. Rogers, their heirs, executors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said Davis Development Co., Inc. by John B. Davis, President, who is authorized to execute this conveyance, has hereto set its signature and seal, this the 30th day of May, 1997.

Davis Development Co., Inc.

X 
by, John B. Davis, President

06/13/1997-18595
10:17 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 MCD 241.00

Inst # 1997-18595

STATE OF ALABAMA
JEFFERSON COUNTY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that John B. Davis, President, of Davis Development Co., Inc., a corporation, whose name as such officer 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 for and as the act of said corporation.

Given under my hand and official seal this 30th day of May, 1997.



Notary Public
Affix Seal

Inst # 1997-18595

06/13/1997-18595
10:17 AM CERTIFIED

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