

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was prepared by: R. Shan Paden
PADEN & PADEN
Attorneys at Law
100 Concourse Parkway, Suite 130
Birmingham, Alabama 35244

SEND TAX NOTICE TO: GARDNER BROTHERS HOMEBUILDERS, INC.
193 BROOK TRACE DRIVE
BIRMINGHAM, AL 35244

STATE OF ALABAMA)
COUNTY OF SHELBY)

WARRANTY DEED

Know All Men by These Presents: That in consideration of FIFTY FIVE THOUSAND and 00/100 (\$55,000.00) DOLLARS to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, A.L. BURBIC, JR. and NANCY K. BURBIC, HUSBAND AND WIFE (herein referred to as GRANTORS) do grant, bargain, sell and convey unto GARDNER BROTHERS HOMEBUILDERS, INC., (herein referred to as GRANTEES, whether one or more) the following described real estate, situated in SHELBY County, Alabama, to-wit:

LOT 3808, ACCORDING TO THE SURVEY OF BIRKSHIRE 38TH ADDITION TO RIVERCHASE, AS RECORDED IN MAP BOOK 22, PAGE 140, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

SUBJECT TO:

1. Subject to the taxes for the year beginning October 1, 1996 which constitutes a lien but are not yet due and payable until October 1, 1997.
2. Easements; building line and, restrictions as shown on recorded map.
3. Title to all mineral within and underlying the premises, together with all mineral rights and other rights, privileges and immunities relating thereto as recorded in Volume 127, Page 140.
4. Restrictions and covenants appearing of record in Misc. Vol 14, Page 536; Misc. Volume 17, Page 550; Misc. Volume 34, Page 549; Real 159, Page 111; Inst. #1997-09826; Inst. #1997-09547; Inst. #1996-24956.
5. Right of way to Alabama Power Company in Volume 355, Page 274.
6. Right of way to City of Hoover recorded in Real 93, Page 577.

\$247,500.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

TO HAVE AND TO HOLD Unto the said GRANTEES, his, her or their heirs and assigns, forever.

And I (we) do for myself (ourselves) and for my (our) heirs, executors, and administrators covenant with the said GRANTEES, his, her, or their heirs and assigns, that I am (we are) lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that I (we) have a good right to sell and convey the same as aforesaid; that I (we) will

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and my (our) heirs, executors and administrators shall warrant and defend the same to the said GRANTEES, his, her, or their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said GRANTORS, A.L. BURBIC, JR. and NANCY K. BURBIC, HUSBAND AND WIFE, have hereunto set his, her or their signature(s) and seal(s), this the 5th day of August, 1997.


A.L. BURBIC, JR.


NANCY K. BURBIC

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that A.L. BURBIC, JR. AND, NANCY K. BURBIC whose name(s) is (are) signed to the foregoing conveyance, and who is (are) known to me, acknowledged before me on this day that, being informed of the contents of the conveyance he, she, or they executed the same voluntarily on the day the same bears date.

Given under my hand this the 5TH day of AUGUST, 1997.


Notary Public

My commission expires: 7/16/98

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