

This instrument was prepared by:
Clayton T. Sweeney, Attorney
2700 Hwy. 280E, Suite 290E
Birmingham, AL 35223

SEND TAX NOTICE TO:
JOHN M. COLLIER
JULIE M. COLLIER
5065 Greystone Way
Birmingham, AL 35242

STATE OF ALABAMA}
COUNTY OF SHELBY}

Warranty Deed/TWRQS

KNOW ALL MEN BY THESE PRESENTS, That in consideration of **FOUR HUNDRED TWENTY THOUSAND DOLLARS AND NO/100's (\$420,000.00)** to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of whereof is acknowledged, I/we GARY F. KOLARIK and wife, BARBARA A. KOLARIK, (herein referred to as grantors, whether one or more) do grant, bargain, sell, and convey unto **JOHN M. COLLIER and JULIE M. COLLIER** (herein referred to as GRANTEES) as joint tenants, with right of survivorship, the following described real estate, situated in SHELBY County, Alabama:

Lot 45, according to the Survey of Greystone, 4th Sector, as recorded in Map Book 16, Page 89 A, B & C, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

Together with the nonexclusive easement to use the private roadways, Common Areas and Hugh Daniel Drive, all as more particularly described in the Greystone Residential Declaration of Covenants, Conditions and Restrictions dated November 6, 1990 and recorded in Real 317 Page 260 in the Probate Office of Shelby County, Alabama and all amendments thereto.

ALL of the consideration was paid from the proceeds of a mortgage loan closed simultaneously herewith.

Subject to:

- 1) Ad valorem taxes for 1998 and subsequent years not yet due and payable until October 1, 1998.
- 2) Restrictions appearing of record in Deed Book 317, Page 260, amended by Book 346, Page 942, and further amended by Book 346, Page 942 and further amended by Book 378, Page 904, and Book 397, Page 958, and Instrument No. 1992-17890.
- 3) Right of Way granted to Alabama Power Company by instrument(s) recorded in Instrument #1992-26822; Deed Book 109, Page 501; Deed Book 109, Page 505; Deed Book 112, Page 516; Deed Book 186, Page 223; and Deed Book 239, Page 214.
- 4) Release of damages as recorded in Instrument No. 1993-01025.
- 5) Restrictions appearing of record in Instrument No. 1993-01025
- 6) Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges, immunities and release of damages relating thereto as recorded in Deed Book 4, Page 493; Deed Book 4, Page 495 and Deed Book 4, Page 497.
- 7) Reciprocal easement as recorded in Book 312, Page 274 and amended in Book 317, Page 253.

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 one grantee herein survives the other, the entire interest in fee simple shall pass to the surviving grantee, and if one does not survive the other, then the heirs and assigns of the grantees herein shall take as tenants in common.

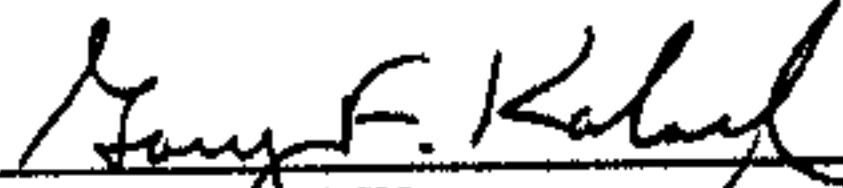
And I/we do for myself/ourselves and for my/our heirs, executors, and administrators, covenant with said GRANTEES their heirs and assigns, that I am/we are lawfully seized in fee simple of said premises, that they are free from all encumbrances, unless otherwise noted above, that I/we have a good right to sell and convey the same as aforesaid, and that I/we will and my/our heirs, executors, and administrators shall warrant and defend the same to the said GRANTEES, their heirs executors and assigns forever, against the lawful claims of all persons.

11/10/1997-36786
12:40 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
DOE MEL 12.00

Inst # 1997-36786

CLAYTON T. SWEENEY, ATTORNEY AT LAW

IN WITNESS WHEREOF, I/we have hereto set my/our hand(s) and seal(s), this the 24th day of October, 1997.

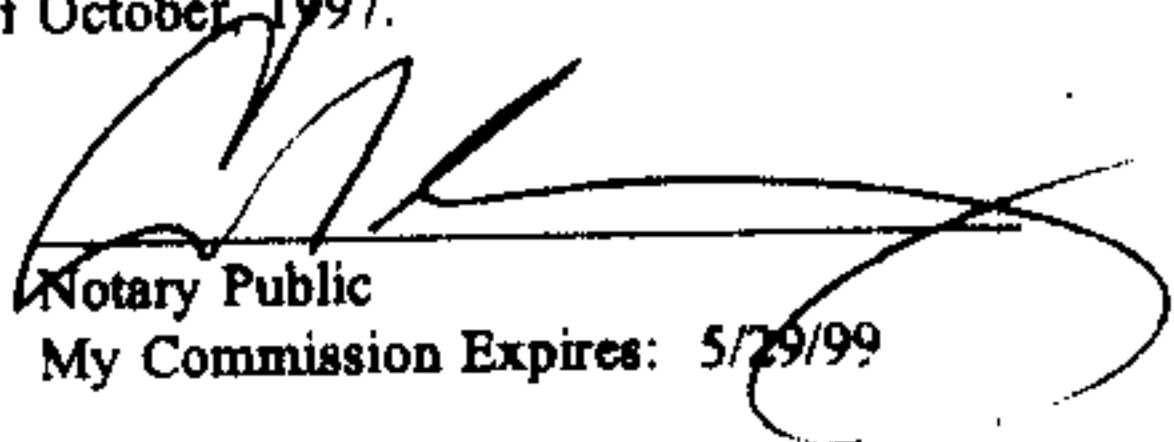

GARY F. KOLARIK

BARBARA A. KOLARIK

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that GARY F. KOLARIK and BARBARA A. KOLARIK, whose names are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 24th day of October, 1997.


Notary Public
My Commission Expires: 5/29/99

Inst # 1997-36786

11/10/1997-36786
12:40 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 NEL 12.00