

(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 FORTY THREE THOUSAND and 00/100 (\$43,000.00) DOLLARS to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, A. LESTER BURBIC, JR., A MARRIED MAN, D/B/A NINE ACRE DEVELOPMENT (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 3815, ACCORDING TO THE SURVEY OF BIRKSHIRE, 38TH ADDITION TO RIVERCHASE, AS RECORDED IN MAP BOOK 22, PAGE 140, IN THE OFFICE OF THE JUDGE OF PROBATE OF SHELBY COUNTY, ALABAMA.

SUBJECT TO:

1. Taxes for the year beginning October 1, 1997 which constitutes a lien but are not yet due and payable until October 1, 1998.
2. Easement along rear of subject property and building line as shown by record plat.
3. Mineral and mining rights recorded in Volume 127, page 140.
4. Right of way granted to Alabama Power Company recorded in Volume 355, page 274.
5. Right of way granted to the City of Hoover recorded in Real 93, page 577.
6. Restrictions as shown by record plat.
7. Declaration of Protective Covenants, Agreements, Easements, Charges and Liens for Riverchase (Residential) recorded in Instrument 1996-24956 and in Misc. Volume 14, page 536; Misc. Volume 17, page 550; Misc. Volume 34, page 549 and Real Volume 159, page 111; Instrument #1994-09826 and Instrument #1997-19547.
8. Release of damages as set forth in Instrument #1996-24956.
9. Rights of parties in possession, encroachments, overlaps, overhangs, unrecorded easements, violated restrictive covenants, deficiency in quantity of ground, or any matters, not of record, which would be disclosed by an accurate survey and inspection of the premises.

02/05/1998-03813
09:01 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 MCD 12.00

THIS PROPERTY WILL NOT CONSTITUTE THE HOMESTEAD OF THE GRANTOR NOR HIS RESPECTIVE SPOUSE.

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 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. LESTER BURBIC, A MARRIED MAN, D/B/A NINE ACRE DEVELOPMENT, have hereunto set his, her or their signature(s) and seal(s), this the 22nd day of January, 1998.


A. LESTER BURBIC, JR.

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. LESTER BURBIC, JR. D/B/A NINE ACRE DEVELOPMENT, 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 22ND day of JANUARY, 1998.


Notary Public

My commission expires:

7/16/98

Inst # 1998-03813

02/05/1998-03813
09:01 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 MCD 12.00