

Send Tax Notice To:  
Timothy A. Payne  
408 Bower Court  
Birmingham, Alabama 35244

This instrument was prepared by:  
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& Kimbrough, L.L.C.  
P. O. Box 380275  
Birmingham, AL 35238

Inst # 1999-00067

01/04/1999-00067

10:58 AM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE

002 LHM 22.00

### Warranty Deed

STATE OF ALABAMA )

KNOW ALL MEN BY THESE PRESENTS,

COUNTY OF SHELBY )

THAT IN CONSIDERATION OF Two Hundred Twenty Thousand Dollars and 00/100 (\$220,000.00) and other good and valuable consideration to the undersigned Grantors in hand paid by the Grantees herein, the receipt of which is hereby acknowledged, **MADLINE ROSS, an unmarried woman** (herein referred to as Grantors, whether one or more) do grant, bargain, sell and convey unto **TIMOTHY A. PAYNE, an unmarried man**, (herein referred to as Grantees, whether one or more), in fee simple, together with every contingent remainder and right of reversion, the following described real estate, situated in the State of Alabama, County of Shelby, to-wit:

Lot 19, in Block 2, according to the Survey of Havenwood Park, 1<sup>st</sup> Sector, as recorded in Map Book 9, Page 123, in the Probate Office of Shelby County, Alabama.

Subject to:

1. Taxes and assessments for the year 1999, and subsequent years, which are not yet due and payable.
2. Easement over the 10 feet South and Southwest corner of said parcel for public utilities, sanitary sewers, storm sewers, storm ditches as shown on recorded map.
3. 25 foot building restriction line from Bower Court and 35 foot from South lot line as shown on recorded map.
4. Restrictions appearing of record in Real Volume 52, Page 148 and amended in Real Volume 54, Page 829 and as shown on recorded map.
5. Easement as recorded in Misc. Book 1, Page 534.
6. Agreement with Alabama Power Company relating to underground residential distribution system as recorded in Real Volume 60, Page 741.
7. Rights granted Alabama Power Company to construct, install, operate and maintain all conduits, cables, translosures and other appliances and facilities useful or necessary for overhead and underground transmission and distribution of electric power and for underground communication service as set forth by instrument recorded in Real Volume 60, Page 744.
8. Right-of-way granted to Alabama Power Company recorded in Deed Book 102, Page 53 and Real Volume 52, Page 144.

9. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto, including release of damages, as recorded in Deed Book 275, Page 873.
10. All other existing easements, restrictions, set-back lines, rights of ways, limitations, if any, of record.

NOTE: \$209000.00 of the above consideration was paid from the proceeds of a mortgage filed simultaneously herewith.

TO HAVE AND TO HOLD unto the said Grantee his heirs and assigns, forever in fee simple forever, together with every contingent remainder and right of reversion.

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

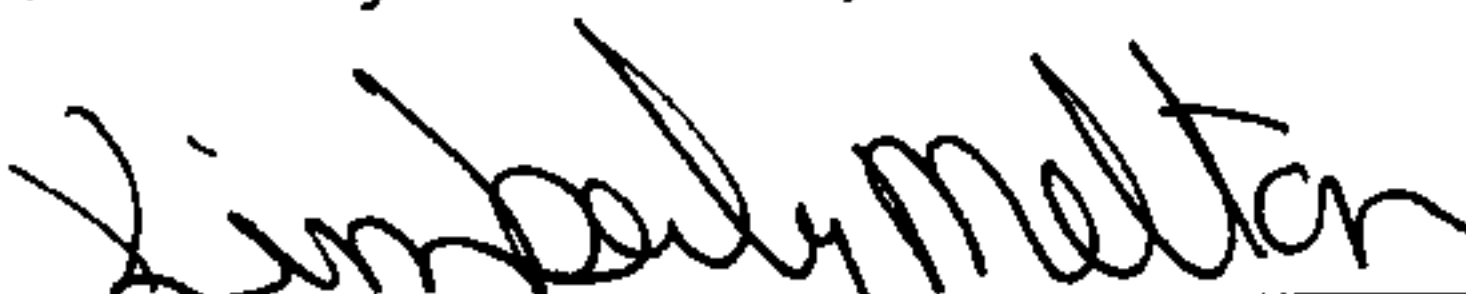
IN WITNESS WHEREOF, I have hereunto set my hand and seal, this 29th day of December, 1998.

  
\_\_\_\_\_  
Madeline Ross

STATE OF ALABAMA  
SHELBY COUNTY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Madeline Ross, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of this instrument, she, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this the 29<sup>th</sup> day of December, 1998.

  
\_\_\_\_\_  
Notary Public  
My Commission Expires: 03-1-99

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