

This instrument was prepared by

Send Tax Notice To: G. Duwane Hooper

(Name) Larry L. Halcomb

name

(Address) 3512 Old Montgomery Highway  
Birmingham, AL 35209

Lot 528, Highland Lakes  
address

Shelby County, AL

**WARRANTY DEED, JOINT TENANTS WITH RIGHT OF SURVIVORSHIP**

STATE OF ALABAMA

Jefferson COUNTY

} KNOW ALL MEN BY THESE PRESENTS.

That in consideration of SEVENTY ONE THOUSAND AND NO/100..... DOLLARS (\$71,000.00)  
to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt whereof is acknowledged, we,  
Eugene Manville and wife, Ellen Manville

(herein referred to as grantors) do grant, bargain, sell and convey unto G. Duwane Hooper and wife, Myra L. Hooper

(herein referred to as GRANTEES) as joint tenants with right of survivorship, the following described real estate situated in

Shelby County, Alabama to-wit:

See Legal Description on attached Exhibit "A".

Mineral and mining rights excepted.

Subject to taxes for 1999.

Subject to items on attached Exhibit "B".

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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 the 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; that I (we) will and my (our) 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, we have hereunto set our hand(s) and seal(s), this 24th  
day of March, 19 99.

(Seal)

Eugene Manville  
Eugene Manville

(Seal)

(Seal)

Ellen Manville  
Ellen Manville

(Seal)

(Seal)

(Seal)

STATE OF ALABAMA

Jefferson COUNTY

General Acknowledgment

I, Larry L. Halcomb, a Notary Public in and for said County, in said State, hereby certify that  
Eugene Manville and wife, Ellen Manville  
whose name(s) 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 March, A.D., 19 99.

My Commission Expires  
January 23, 2002

Larry L. Halcomb  
Larry L. Halcomb

Notary Public

EXHIBIT "A"

Lot 528, according to the Survey of Highland Lakes, 5th Sector, Phase II, as recorded in Map Book 19, page 3 A & B, in the Probate Office of Shelby County, Alabama.

Together with nonexclusive easement to use the private roadways, common area all as more particularly described in the Declaration of Easements and Master Protective Covenants for Highland Lakes, a Residential Subdivision recorded as Instrument #1994-07111 in the Probate Office of Shelby County, Alabama and the Declaration of Covenants, Conditions and Restrictions for Highland Lakes, a Residential Subdivision, 5th Sector, Phase II as recorded as Instrument 1994-31018 in the Probate Office of Shelby County, Alabama (which, together with all amendments thereto, is hereinafter collectively referred to as, the "Declaration").

**EXHIBIT "B"**

**5 foot Easement on East and 7½ foot easement on North, as shown by recorded map.**

**Restrictions as shown by recorded Map.**

**Mineral and mining rights and rights incident thereto; release of damages and covenant for storm water runoff control, recorded in Instrument 1994-33891, in the Probate Office of Shelby County, Alabama.**

**Declaration of Easements and Master Protective Covenants for Highland Lakes, a Residential Subdivision, which provides, among other things, for an Association to be formed to assess and maintain the private roadways, etc. of the development; all of said covenants, restrictions and conditions being set out in instrument recorded as Instrument 1994-07111 in the Probate Office of Shelby County, Alabama, with Articles of Incorporation of Highland Lakes Residential Association, Inc. as recorded as Instrument 9482/3947 in the Probate Office of Jefferson County, Alabama.**

**Declaration of Covenants, Conditions and Restrictions for Highland Lakes, a Residential Subdivision, Fifth Sector, Phase I recorded in Instrument 1994-31018, and amended in Instrument 1997-7910 in the Probate Office of Shelby County, Alabama, but omitting any covenant or restriction based on race, color, religion, sex, handicap, familial status, or national origin.**

**Right of Way granted to Alabama Power Company by instrument recorded in Instrument 1995-12814, in the Probate Office of Shelby County, Alabama.**

**Right of way to Water Works and Sewer Board of the City of Birmingham, recorded in Instrument 1995-34035, in the Probate Office of Shelby County, Alabama.**

**Subdivision restrictions shown on recorded plat in Map Book 18, page 41, provide for construction of single family residences only.**

**Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto, including rights set out as Instrument recorded in Instrument Book 28, page 237, in the Probate Office of Shelby County, Alabama.**

**Subject to the provision of Sections 2.3 and 2.6 of the Declaration, the property shall be subject to the following minimum setbacks:**

- (a) Front setback: 59 or more, as per plot plan which must be approved by the ARC; dwelling length to be a minimum of 75 feet along front setback, subject to amendment by ARC. Dwelling to be of traditional design with substantially brick exterior.**
- (b) Rear setback: 35 feet**
- (c) Side setback: 15 feet**

**Right of Way granted to Alabama Power Company by instrument recorded in Book 111, page 408; Book 109, page 70; Book 149, page 380; Book 173, page 364; Book 276, page 670; Book 134, page 408; Book 133, page 212; Book 133, page 210 and Real 31, page 355, in the Probate Office of Shelby County, Alabama.**

**Right of way to Shelby County, recorded in Book 196, page 246, in the Probate Office of Shelby County, Alabama.**

**Agreement with Alabama Power Company as to covenants relating thereto, recorded in Instrument 1994-1186, in the Probate Office of Shelby County, Alabama.**

**The rights of upstream and downstream riparian owners with respect to lake, if any, bordering subject property.**

**Lake Easement Agreement executed by Highland Lake Properties, Ltd. and Highland Lake Development, Ltd. providing for easements, use by others and maintenance of Lake Property described within Instrument 1993-15705 in the Probate Office of Shelby County, Alabama.**

**Easement for ingress and egress to serve Highland Lakes Development executed by Highland Lakes Development Ltd. to Highland Lakes Properties, Ltd. recorded in Instrument 1993-15704 in the Probate Office of Shelby County, Alabama.**

**Collateral assignment of contract by and between Highland Lakes Development, Ltd. and Central Bank of the South, recorded in Instrument 1993-15711, in the Probate Office of Shelby County, Alabama.**

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