

This instrument was prepared by  
Carolyn W. Ivie on behalf of the  
Trust Account administered by  
AMSOUTH BANK, P. O. Box 11426,  
Birmingham, Alabama 35202

STATE OF ALABAMA )

JEFFERSON COUNTY )

KNOW ALL MEN BY THESE PRESENTS, That for and in consideration of the sum of One Hundred Thirteen Thousand Five Hundred and NO/100 (\$113,500.00) Dollars cash on closing and simultaneous execution of a note and mortgage in the amount of Two Hundred Forty Thousand and NO/100 (\$240,000.00) Dollars paid by Kevin Mark O'Brien and wife, Sandra K. O'Brien to AMSOUTH BANK and Ann Cox Pippen as Trustees under the Will of Clyde A. Pippen, deceased and Ann Cox Pippen, Individually (hereinafter called GRANTORS), receipt whereof is acknowledged, the said Grantors do hereby grant, bargain, sell and convey unto the said Kevin Mark O'Brien and wife, Sandra K. O'Brien (hereinafter called GRANTEES), as joint tenants, with right of survivorship, the following described real estate lying and being situated in Shelby County, Alabama, to-wit:

Lot 10-A, according to the Weed-Pippen Resurvey of Lots 9 and 10 of Mountain View Lake Company, First Sector, as recorded in Map Book 13, page 13, in the Probate Office of Shelby County, Alabama.

TO HAVE AND TO HOLD unto the said Kevin Mark O'Brien and wife, Sandra K. O'Brien, as joint tenants, with right of survivorship, their heirs and assigns forever; it being the intention of the parties to this conveyance, unless the joint tenancy hereby created is severed or terminated during the joint lives of the Grantees herein, that in the event one Grantee herein survives the other, the entire interest in fee simple shall pass to the surviving Grantee, and if one Grantee does not survive the other, then the heirs and assigns of the Grantees herein shall take as tenants in common.

It is specifically understood and agreed that the Grantors have executed this conveyance subject to:

1. Ad Valorem taxes due and payable October 1, 2000, which the Grantees herein expressly assume and agree to pay.
2. Existing rights-of-way, encroachments, party walls, building restrictions, zoning, recorded and/or unrecorded easements, deficiency in quantity of ground, overlaps, overhangs, any discrepancies or conflicts in boundary lines, or any matters not of record, if any, which would be disclosed by an inspection and survey of the property.
3. 40 foot easement for ingress, egress, utilities and existing asphalt roadway on East and easement of undetermined width in Northwest corner, as shown by recorded Map.
4. Right of Way granted to Alabama Power Company by instrument recorded in Volume 231, Page 269 and Volume 740, Page 444, in the Probate Office of Shelby County, Alabama.
5. Mineral and mining rights and rights incident thereto and easements recorded in Volume 285, Page 722 and Volume 175, Page 446, in the Probate Office of Shelby County, Alabama.
6. Right of Way to Water Works Board of the City of Birmingham, recorded in Real 67, Page 423, in the Probate Office of Shelby County, Alabama.

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SHELBY COUNTY JUDGE OF PROBATE  
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7. Restrictions of Covenants recorded in Volume 172, Page 236, in the Probate Office of Shelby County, Alabama, but omitting any covenant or restrictions based on race, color, religion, sex, handicap, familial status, or national origin.
8. License agreement recorded in Instrument 1999-40447, in the Probate Office of Shelby County, Alabama.

This instrument is executed without warranty or representation of any kind on the part of the undersigned, express or implied, except that there are no liens or encumbrances outstanding against the premises conveyed which were created or suffered by the undersigned and not specifically excepted herein.

This instrument is executed by the undersigned solely in the representative capacity named herein, and neither this instrument nor anything herein contained shall be construed as creating any indebtedness or obligation on the part of the undersigned in its individual or corporate capacity, and the undersigned expressly limits its liability hereunder to the property now or hereafter held by it in the representative capacity named.

And I, Ann Cox Pippen, do for myself and for my heirs, executors and administrators, covenant with the said Grantees, their heirs and assigns, that I am lawfully seized in fee simple of said premises; that I 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 to the extent of my individual interest in said premises to the said Grantee, their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, AMSOUTH BANK as Trustee under the Will of Clyde A. Pippen, deceased, has caused this conveyance to be executed in its name and on its behalf in its capacity as Trustee, as aforesaid, on this 21 day of October, 1999.

ATTEST:

AMSOUTH BANK as Trustee under the Will of  
Clyde A. Pippen, deceased

BY: Carolyn W. Ivie  
Assistant Vice President

BY: [Signature]  
Vice President

Ann Cox Pippen  
Ann Cox Pippen, Individually

STATE OF ALABAMA )

JEFFERSON COUNTY )

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that D. A. Ferguson and Carolyn W. Ivie whose names as Vice President and Assistant Vice President, respectively, of AMSOUTH BANK as Trustee under the Will of Clyde A. Pippen, deceased, 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 said conveyance, they as such officers and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this 21 day of October, 1999.

Christine Creech  
NOTARY PUBLIC  
MY COMMISSION EXPIRES 11-7-99

STATE OF ALABAMA )

JEFFERSON COUNTY )

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Ann Cox Pippen, Individually, and whose name as Trustee, is signed to the foregoing conveyance and who is known to me, acknowledged before me on this day, that, being informed of the contents of said conveyance, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 21 day of October, 1999.

Lisa R. Wright  
NOTARY PUBLIC  
MY COMMISSION EXPIRES \_\_\_\_\_

My Commission Expires 7-1-2003

My Commission Expires 7-1-2003

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