

This instrument was prepared by  
D.A. Ferguson on behalf of the  
Trust Account administered by  
AMSOUTH BANK, P.O. Box 11426  
Birmingham, Alabama 35202

**STATE OF ALABAMA )**

**SHELBY COUNTY )**

**KNOW ALL MEN BY THESE PRESENTS**, that for and in consideration of the sum of FIFTY-EIGHT THOUSAND AND NO/100 (\$58,000.00) DOLLARS cash, in hand paid by David B. Etheredge and his wife Melanie R. Etheredge to AmSouth Bank and Virginia Sewell Jones as Trustees under the Will of Joseph Wheeler Sewell, Jr., deceased (hereinafter called GRANTORS), receipt whereof is acknowledged, the said Grantors do hereby grant, bargain, sell and convey unto David B. Etheredge and his wife Melanie R. Etheredge, (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 14, according to the Survey of The Glen Estates, as recorded in Map Book 19, page 9, in the Probate Office of Shelby County, Alabama.

It is specifically understood and agreed that the Grantor has executed this conveyance subject to:

1. Ad Valorem Taxes due and payable October 1, 1999, which the Grantee herein agrees to assume and 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 matter not of record, if any, which would be disclosed by an inspection and survey of property.
3. Transmission Line Permit to Alabama Power Company as recorded in Deed 111, page 408, in the Probate Office of Shelby County, Alabama.
4. A 30 foot Right of way to Water Works Board of Birmingham, recorded in Instrument 1993-20842 and Instrument 1993-20844, in the Probate Office of Shelby County, Alabama.
5. Easement Agreement between Daniel Oak Mountain Limited Partnership and School House Properties recorded in Instrument 1993-22440, in the Probate Office of Shelby County, Alabama.
6. Rights of others to use of Hugh Daniel Drive as described in Deed Book 301, page 799, in the Probate Office of Shelby County, Alabama.
7. Covenant and Agreement for Water Service recorded in Real 235, page 574, and Instrument 1993-20840, in the Probate Office of Shelby County, Alabama.
8. Easement Agreement for access through "The Glen," as recorded in Real 346, page 848 and amended by First Amendment thereto recorded in Real 380, page 639 and amended by Second Amendment thereto recorded in Instrument 1995-29620 and amended by Third Amendment thereto recorded in Instrument 1995-16399, in the Probate Office of Shelby County, Alabama.

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9. Greystone Close Development Declaration of Covenants, Conditions and Restrictions as recorded in Real 346, page 873, and amended by First Amendment thereto recorded in Real 380, page 635, and amended by Second Amendment thereto recorded in Instrument 1995-16398 and Map Book 19, page 9, in the Probate Office of Shelby County, Alabama.

**TO HAVE AND TO HOLD** unto the said, David B. Etheredge and wife, Melanie R. Etheredge, 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.

This instrument is executed without warranty or representation of any kind on 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 their individual or corporate capacities, and the undersigned expressly limits their liability hereunder to the property now or hereafter held by them in the representative capacity named.

**IN WITNESS WHEREOF**, the undersigned, AmSouth Bank and Virginia Sewell Jones as Trustees under the Will of Joseph Wheeler Sewell, Jr., deceased, have caused this conveyance to be executed in its name and on its behalf in its capacity as Trustee, as aforesaid, on this 14<sup>th</sup> day of September, 1999.

  
Virginia Sewell Jones as Trustee under the Will of  
Joseph Wheeler Sewell, Jr., deceased

AmSouth Bank as Trustee under the Will of Joseph  
Wheeler Sewell, Jr., deceased.

ATTEST:

BY:   
ITS: TRUST OFFICER

BY:   
ITS: Vice President

STATE OF ALABAMA     )  
JEFFERSON COUNTY    )

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Virginia Sewell Jones Trustee under the Will of Joseph Wheeler Sewell, Jr., deceased, 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, and with full authority, she executed the same in her capacity as Trustee on the day the same bears date.

Given under my hand and official seal this 14<sup>th</sup> day of Sept, 1999.

Trudy J. Rennie  
NOTARY PUBLIC

My Commission Expires: 2/12/2002

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 John McKay, whose names as Vice President and Trust Officer respectively, of AmSouth Bank as Trustee under the Will of Joseph Wheeler Sewell, Jr., 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, acting in its capacity as Trustee, as aforesaid.

Given under my hand and official seal this 15<sup>th</sup> day of September, 1999.

Christi L. Greene  
NOTARY PUBLIC

My Commission Expires: 11-7-99

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SHELBY COUNTY JUDGE OF PROBATE

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