

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

R0002-3980TN

This Instrument was
prepared by:

TURNER & NORTON, L.L.C.
Attorneys at Law
2340 Woodcrest Place
Suite 150
Birmingham, Alabama 35209

Send Tax Notice To:

DAVID M. TOSCH
2786 STEVENS CREEK ROAD
BIRMINGHAM, ALABAMA 35244

Inst # 2000-06637

03/03/2000-06637
08:14 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE

DE #5 35.00

STATE OF ALABAMA)

COUNTY OF SHELBY)

WARRANTY DEED

Know All Men by These Presents: That in consideration of **ONE HUNDRED FIFTY SEVEN THOUSAND FIVE HUNDRED DOLLARS and 00/100 (\$157,500.00) DOLLARS** to the undersigned grantor or grantors in hand paid by the **GRANTEES** herein, the receipt of which is acknowledged, we, **EUGENE F. ROBERTS, JR. and JOAN T. ROBERTS, HUSBAND AND WIFE** (herein referred to as **GRANTORS**) do grant, bargain, sell and convey unto **DAVID M. TOSCH, A SINGLE PERSON**, (herein referred to as **GRANTEES**, whether one or more) the following described real estate, situated in **SHELBY** County, Alabama, to-wit:

LOT 23, BLOCK 2, ACCORDING TO THE SURVEY OF GROSS' ADDITION TO ALTADENA SOUTH, 2ND PHASE OF 1ST SECTOR, AS RECORDED IN MAP BOOK 6, PAGE 17, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

SUBJECT TO:

1. Subject to the taxes for the year beginning October 1, 1999, which constitutes a lien, but are not yet due and payable until October 1, 2000.
2. 35 foot easement, as shown on recorded map.
3. 25 foot easement, as shown on recorded map.
4. Irregular easement, as shown on recorded map.
5. Covenants, conditions, restrictions, as setforth in Miscellaneous Book 3, page 817, in the Probate Office of Shelby County, Alabama.
6. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto as recorded in Deed Book 4, Page 376, in the Probate Office of Shelby County, Alabama.
7. Easement to South Central Bell, as setforth in Deed Book 320, page 875, in the Probate Office of Shelby County, Alabama.
8. Easement to Alabama Power Company as set forth in Deed Book 102, page 52 and Deed Book 187, page 377, in the Probate Office of Shelby County, Alabama.

\$133,875.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

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, EUGENE E. ROBERTS, JR. and JOAN T. ROBERTS, HUSBAND AND WIFE, have hereunto set his, her or their signature(s) and seal(s), this the 25th day of February, 2000.


EUGENE E. ROBERTS, JR.

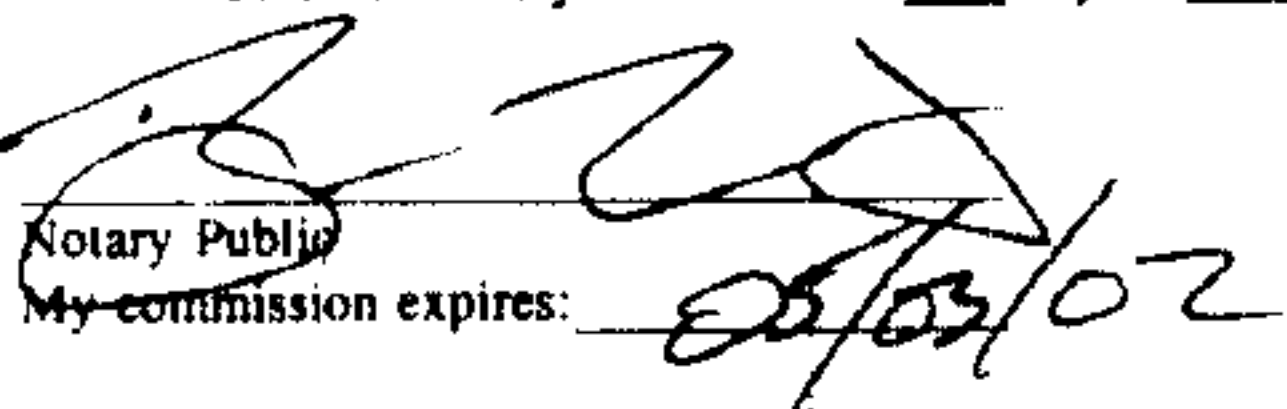

JOAN T. ROBERTS

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that EUGENE E. ROBERTS, JR. and JOAN T. ROBERTS, HUSBAND AND WIFE, whose name 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 the conveyance he executed the same voluntarily on the day the same bears date.

Given under my hand this the 25th day of February, 2000.


Notary Public

My commission expires: 03/03/02

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