

This instrument was prepared by

Send Tax Notice To: J. KEITH TOWNLEY

name

6586 MILL CREEK CIRCLE

address

BIRMINGHAM, ALABAMA 35242

(Name) GENE W. GRAY, JR.

(Address) 2100 SOUTHBRIDGE PARKWAY, #638
BIRMINGHAM, ALABAMA 35209

WARRANTY DEED, JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

STATE OF ALABAMA

Jefferson COUNTY

} KNOW ALL MEN BY THESE PRESENTS,

That in consideration of ONE HUNDRED EIGHTY TWO THOUSAND FIVE HUNDRED AND NO/100-----
----- DOLLARS (\$182,500.00)
to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt whereof is acknowledged, we,
WILLIAM O. FITZPATRICK, IV AND WIFE, KRISTIN N. FITZPATRICK

(herein referred to as grantors) do grant, bargain, sell and convey unto J. KEITH TOWNLEY AND WIFE, BECKY TOWNLEY

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

SHELBY

County, Alabama to-wit:

THE PROPERTY CONVEYED HEREIN IS DESCRIBED ON EXHIBIT "A", ATTACHED HERETO,
MADE A PART HEREOF AND INCORPORATED HEREIN FOR ALL PURPOSES.

\$173,350.00 OF THE CONSIDERATION WAS PAID FROM THE PROCEEDS OF A MORTGAGE
LOAN.

Inst # 2001-51011

11/27/2001-51011

09:58 AM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE
002 CH 23.50

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.

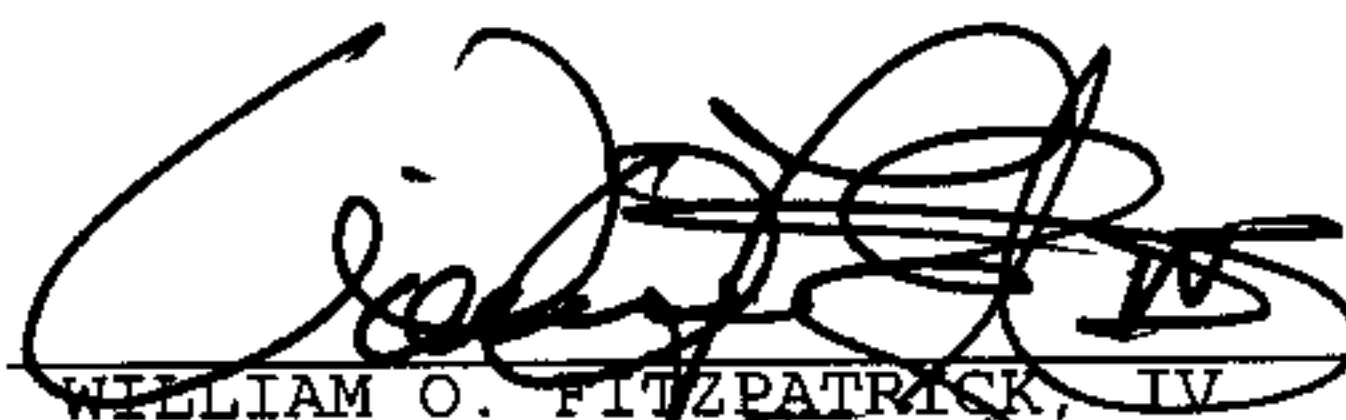
And I (we) do for myself (ourselves) and for my (our) heirs, executors, and administrators covenant with the said GRANTEES, their heirs and assigns, that I am (we are) lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that I (we) have 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 20th
day of November, 2001.

(Seal)

(Seal)

(Seal)


WILLIAM O. FITZPATRICK, IV


KRISTIN N. FITZPATRICK

(Seal)

STATE OF ALABAMA

Jefferson COUNTY

General Acknowledgment

I, GENE W. GRAY, JR., a Notary Public in and for said County, in said State, hereby certify that
WILLIAM O. FITZPATRICK, IV AND WIFE, KRISTIN N. FITZPATRICK
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 20th day of November, A.D., 2001


GENE W. GRAY, JR.

Notary Public

EXHIBIT "A"

Lot 26, according to the Final Record Plat of a Resurvey of Lots 7, 8, 12, 24, 25 and 26, Greystone Farms, Mill Creek Sector, Phase 2, as recorded in Map Book 21, page 45, in the Probate Office of Shelby County, Alabama.

TOGETHER WITH the non-exclusive easement to use the private roadways, Common Areas and Hugh Daniel Drive, all as more particularly described in the Greystone Farms Declaration of Covenants, Conditions and Restrictions, recorded in Instrument 1995-16401, in the Probate Office of Shelby County, Alabama, and all amendments thereto.

SUBJECT TO:

Taxes and assessments for the year 2002, and subsequent years, which are not yet due and payable. Tax information has been based on the present assessment roles, but is subject to any future adjustments that may be made by either the Tax Assessor or the Board of Equalization of Shelby County, Alabama.

Restrictions, as shown by recorded Map.

Restrictions, covenants and conditions as to Greystone Farms as set out in Instrument 1995-16401; 1st Amendment recorded in Instrument 1995-1432; 2nd Amendment recorded in Instrument 1996-21440 and 3rd Amendment recorded in Instrument 1997-2587, in the Probate Office of Shelby County, Alabama.

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 recorded in Deed Book 121, page 294 and Deed Book 60, page 260, in the Probate Office of Shelby County, Alabama.

Easements to BellSouth Communications, recorded in Instrument 1995-7422, in the Probate Office of Shelby County, Alabama.

Amended and restated restrictive covenants including building setback lines and specific provisions for dense buffer along Hugh Daniel Drive, all as set out in instrument recorded in Real 265, page 96, in the Probate Office of Shelby County, Alabama, and which said building setback lines and dense buffer are shown on survey of Paragon Engineering, Inc., dated July 14, 1994.

Shelby Cable Agreement recorded in Real 350, page 545, in the Probate Office of Shelby County, Alabama.

Covenants and agreement for water service as set out in an Agreement recorded in Real Book 235, page 574, modified by Agreement recorded in Instrument 1992-20786, further modified by Agreement recorded in Instrument 1993-20840, in the Probate Office of Shelby County, Alabama.

Right of way from Daniel Oak Mountain Limited to Shelby County, recorded in Instrument 1994-21963, in the Probate Office of Shelby County, Alabama.

Development agreement between Daniel Oak Mountain Limited Partnership, Greystone Residential Association, Inc., Greystone Ridge, Inc., and United States Fidelity and Guaranty Company, recorded in Instrument 1994-22318 and 1st Amendment recorded in Instrument 1996-0530, in the Probate Office of Shelby County, Alabama.

Greystone Farms Community Center Property declaration of covenants, conditions and restrictions, recorded in Instrument 1995-16403, in the Probate Office of Shelby County, Alabama.

Right of way to Water Works Board of the City of Birmingham, recorded in Instrument 1995-11637, in the Probate Office of Shelby County, Alabama.

Greystone Farms Reciprocal Easement Agreement recorded in Instrument 1995-16400 in the Probate Office of Shelby County, Alabama.

W.D.P.
K.T.Z.

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