

**Send Tax Notice To:**  
Earnest F. Kiker  
2204 Travis Drive  
Birmingham, AL 35226

**This Instrument Prepared By:**  
John G. Lowther, Attorney  
3500 Independence Drive  
Birmingham, AL 35209

## **STATUTORY DEED**

### **STATE OF ALABAMA COUNTY OF SHELBY**

**KNOW ALL MEN BY THESE PRESENTS**, that for and in consideration of the sum of Twelve Thousand, Five Hundred and No/100 (\$12,500.00) Dollars and other valuable consideration to the undersigned National Bank of Commerce of Birmingham, a National Banking Association, (hereinafter referred to as "Grantor") in hand paid by Earnest F. Kiker, (hereinafter referred to as "Grantee"), the receipt whereof is hereby acknowledged, the said Grantor does grant and convey unto the said Grantee the following described real estate situated in Shelby County, Alabama, to-wit:

Lot 5, according to the Survey of Navajo Estates, as recorded in Map Book 21, page 140, in the Probate Office of Shelby County, Alabama.

#### **THIS CONVEYANCE IS SUBJECT TO THE FOLLOWING:**

1. The property conveyed herein is conveyed in its AS-IS condition.
2. 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.
3. Right of way granted to South Central Bell by instrument recorded in Volume 294, Page 580, in the Probate Office of Shelby County, Alabama.
4. Easement to Southern Natural Gas recorded in Volume 213, Page 115; and Volume 265, Page 174, in the Probate Office of Shelby County, Alabama.
5. Easement to Alabaster Water and Gas Company recorded in Real 200, Pages 2 and 5; Volume 265, Page 89; and Real 327, Page 648, in the Probate Office of Shelby County, Alabama.
6. Right of way to Shelby County, recorded in Volume 155, Page 568; and Volume 280, Page 335, in the Probate Office of Shelby County, Alabama.
7. 40-foot building line, as shown by recorded map.

8. 7.5 foot easement on north, south and rear, as shown by recorded map.
9. Utility easements as shown on recorded map of said subdivision.
10. Rights of parties in possession, building set back lines, encroachments, overlaps, overhangs, unrecorded and recorded easements, and restrictive covenants.
11. Any matters which would be disclosed by an accurate survey and inspection of the property.
12. Less and except any coal, oil, gas and other mineral interests in, to or under the land, not owned by the Grantor.

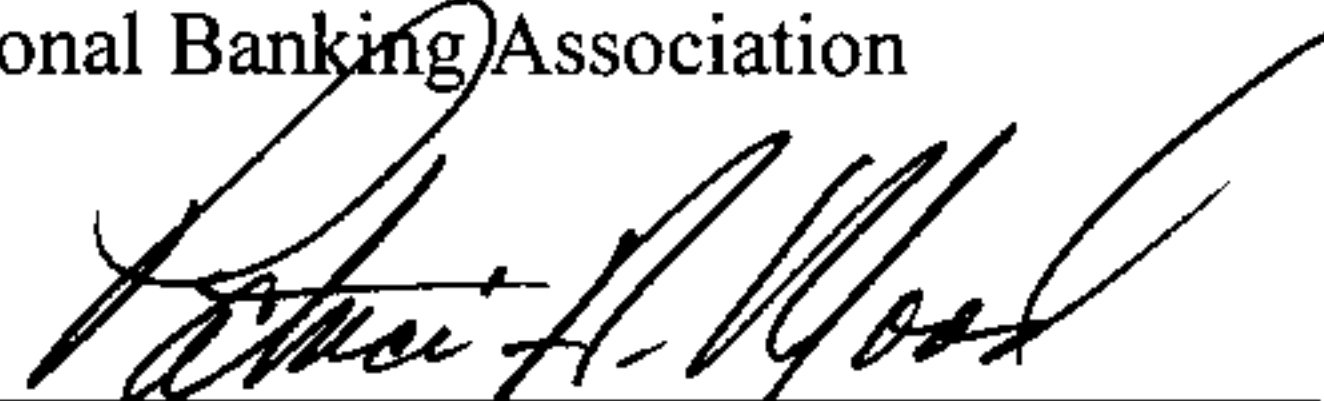
**TO HAVE AND TO HOLD** unto the said Grantee, his successors, heirs and assigns.

No word, words, or provisions of this instrument are intended to operate as to imply covenants of warranty except the following: Grantor does hereby specially warrant the title to said property, except as herein above limited, against lawful claims of all persons claiming by, through or under the Grantor.

**IN WITNESS WHEREOF**, the said Grantor has caused this instrument to be executed by its duly authorized officer on this 3<sup>rd</sup> day of December, 2001.


Grantor:

National Bank of Commerce of Birmingham, a  
National Banking Association

By:   
Patricia A. Wood, Vice President

STATE OF ALABAMA  
COUNTY OF JEFFERSON

I, the undersigned Notary Public in and for said County and State, hereby certify that Patricia A. Wood, whose name as Vice President of National Bank of Commerce of Birmingham, a National Banking Association, is signed to the foregoing statutory deed, and who is known to me, acknowledged before me on this day that, being informed of the contents of the deed, she, as such officer and with full authority, executed the same voluntarily for and as the act of said Bank. Given under my hand and official seal this 3<sup>rd</sup> day of December, 2001.

  
Notary Public  
My Commission Expires: 1/3/03  
Inst # 2001-53408