

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was prepared by:

SEND TAX NOTICE TO:

PADEN & PADEN
Attorneys at Law
5 Riverchase Ridge, Suite 100
Birmingham, Alabama 35244

OLD HERITAGE PARTNERS, LLC
4878 SOUTHLAKE PARKWAY
HOOVER, AL 35244

STATE OF ALABAMA)

COUNTY OF SHELBY)

Inst # 2002-04928

01/29/2002-04928
11:37 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 MEL

WARRANTY DEED

Know All Men by These Presents: That in consideration of FIFTY FIVE THOUSAND NINE HUNDRED DOLLARS and 00/100 (\$55,000.00) DOLLARS to the undersigned grantor, THIRD AVENUE NORTH PROPERTIES, INC., a corporation, in hand paid by the GRANTEES herein, the receipt of which is hereby acknowledged, the said GRANTOR, does by these presents, grant, bargain, sell and convey unto OLD HERITAGE PARTNERS, LLC, A LIMITED LIABILITY COMPANY (herein referred to as GRANTEES, whether one or more) the following described real estate, situated in SHELBY County, Alabama, to-wit:

LOT 21, ACCORDING TO THE SURVEY OF COMMERCIAL COURT, A COMMERCIAL SUBDIVISION, AS RECORDED IN MAP BOOK 26 PAGE 117 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

SUBJECT TO:

1. TAXES FOR THE YEAR BEGINNING OCTOBER 1, 2001 WHICH CONSTITUTES A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 2002.
2. ANY PRIOR RESERVATION OR CONVEYANCE, TOGETHER WITH RELEASE OF DAMAGES OF MINERALS OF EVERY KIND AND CHARACTER, INCLUDING, BUT NOT LIMITED TO GAS, OIL, SAND, AND GRAVEL IN, ON AND UNDER SUBJECT PROPERTY.
3. BUILDING SETBACK LINE OF 50 FEET RESERVED FROM COMMERCIAL COURT AS SHOWN BY PLAT.
4. EASEMENTS AS SHOWN BY RECORDED PLAT, INCLUDING 7.5 FEET ON THE SOUTHERLY SIDE AND 20 FEET ON THE EASTERLY SIDE OF LOT.
5. TRANSMISSION LINE PERMIT(S) TO ALABAMA POWER COMPANY AS SHOWN BY INSTRUMENT(S) RECORDED IN DEED BOOK 103 PAGE 486 AND DEED BOOK 165 PAGE 122 IN PROBATE OFFICE.
6. TITLE TO ALL MINERALS WITHIN AND UNDERLYING THE PREMISES, TOGETHER WITH ALL MINING RIGHTS AND OTHER RIGHTS, PRIVILEGES AND IMMUNITIES RELATING THERETO, INCLUDING RIGHTS SET OUT IN DEED BOOK 254, PAGE 298 IN PROBATE OFFICE.
7. RELEASE OF DAMAGES, RESTRICTIONS, MODIFICATIONS, COVENANTS, CONDITIONS, RIGHTS, PRIVILEGES, IMMUNITIES, AND LIMITATIONS, AS APPLICABLE, AS SET OUT IN, AND AS REFERENCED IN DEED(S) RECORDED IN DEED BOOK 328 PAGE 26 IN THE PROBATE OFFICE.

TO HAVE AND TO HOLD Unto the said GRANTEES, their heirs and assigns, forever.

And said GRANTOR does for itself, its successors and assigns, covenant with the said GRANTEES, his, her, or their heirs and assigns, that it is lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that it has a good right to sell and convey the same as aforesaid, and that it will and its successors and assigns 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 GRANTOR, THIRD AVENUE NORTH PROPERTIES, INC., by GEORGE M. VAUGHN its PRESIDENT, who is authorized to execute this conveyance, has hereunto set its signature and seal, this the 17th day of January, 2002.

THIRD AVENUE NORTH PROPERTIES, INC.

By: *George M. Vaughn*
GEORGE M. VAUGHN
Its: PRESIDENT

STATE OF ALABAMA)

COUNTY OF Shelby)

ACKNOWLEDGMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that GEORGE M. VAUGHN, whose name as PRESIDENT of THIRD AVENUE NORTH PROPERTIES, INC., a corporation, 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 or she, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand this the 17TH day of January, 2002.

Angela D. Phillips
Notary Public

My commission expires: 01/16/04

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