

This instrument was prepared by:  
Clayton T. Sweeney, Attorney  
2700 Highway 280 East, Suite 160  
Birmingham, AL 35223

Send Tax Notice To:  
Ashley Bloom Curry and Brian Christopher  
Curry  
2016 Grove Park Way  
Birmingham, AL 35242

STATE OF ALABAMA )  
: STATUTORY WARRANTY DEED  
COUNTY OF SHELBY ) WITH RIGHTS OF SURVIVORSHIP

**KNOW ALL MEN BY THESE PRESENTS:** That, for and in consideration of **Two Hundred Sixty-One Thousand Fifty and 00/100 (\$261,050.00)**, and other good and valuable consideration, this day in hand paid to the undersigned **Proctor & Sons Building, Inc., an Alabama corporation** (hereinafter referred to as GRANTOR), in hand paid by the GRANTEEES herein, the receipt whereof is hereby acknowledged, the GRANTOR does hereby give, grant, bargain, sell and convey unto the GRANTEEES, **Ashley Bloom Curry and Brian Christopher Curry**, (hereinafter referred to as GRANTEEES), for and during their joint lives and upon the death of either, then to the survivor of them in fee simple, together with every contingent remainder and right of reversion, the following described Real Estate, lying and being in the County of **Shelby**, State of Alabama, to-wit:

**Lot 1158, according to the Map of Highland Lakes, 11th Sector, an Eddleman Community, as recorded in Map Book 27 page 84 A & B, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama. Together with nonexclusive easement to use the private roadways, Common Area all as more particularly described in the Declaration of Easements and Master Protective Covenants for Highland Lakes, a Residential Subdivision, recorded as Instrument #1994-07111 and amended in Inst. No. 1996-17543 and with 2nd Amendment in Inst. #1999-31095, in the Probate Office of Shelby County, Alabama, and the Declaration of Covenants, Conditions and Restrictions for Highland Lakes, a Residential Subdivision, 11th Sector, recorded as Instrument #2000-41316 in the Probate Office of Shelby County, Alabama (which, together with all amendments thereto, is hereinafter collectively referred to as, the "Declaration"). Mineral and mining rights excepted.**

Subject To:

1. Ad valorem taxes for the year 2002 which are not due and payable until October 1, 2002 and subsequent years.
2. Easements as shown by recorded plat, including 10 feet on the Easterly side of lot.
3. Declaration of Restrictions, Covenants and Conditions as set out in Inst. #1994-7111, Inst. #1996-17543 and Inst. #1999-31095 in the Probate Office of Shelby County, Alabama; along with Articles of Incorporation of Highland Lakes Residential Association, Inc. recorded as Inst. #9402/3947 in the Probate Office of Jefferson County, Alabama.
4. Declaration of Restrictions, Covenants and Conditions for Highland Lakes, Eleventh Sector, recorded in Inst. #2000-41316 in the Probate Office.
5. Right of Way granted to Water Works & Sewer Board of the City of Birmingham as set out in Inst. #2000-12490; Inst. #1997-4027 and Inst. #1996-25667 in Probate Office.
6. Easement of Ingress and Egress to serve Highland Lakes Development executed by Highland Lakes Development, Ltd. To Highland Lakes Properties, Ltd. recorded in Inst. #1993-15704 in the Probate Office.
7. Lake Easement Agreement executed by Highland Lakes Properties, Ltd. and Highland Lakes Development, Ltd. provided for easements, use by others and maintenance of Lake Property described within Inst. #1993-15705 in Probate Office.
8. Title to all minerals within and underlying the premises, together with all mining rights and other privileges and immunities relating thereto, including rights set out in Deed Book 28 page 237 in Probate Office.
9. Release(s) of damages as set out in Instrument(s) recorded in Inst. #1999-40613 in Probate Office.
10. Cable Agreement as set out in Inst. #1997-33476 in Probate Office.
11. Restrictions, limitations and conditions as set out in Map Book 27 page 84 A, B, C & D.
12. 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 Inst. #2001-33144 in the Probate Office.
13. Alabama Power Company easement recorded in Inst. #2001-22920 in Probate Office.

\$224,000.00 of the consideration was paid from the proceeds of a mortgage loan closed simultaneously herewith.

TO HAVE AND TO HOLD, the tract or parcel of land above described together with all and singular the rights, privileges, tenements, appurtenances, and improvements unto the said GRANTEEES ~~for and~~ during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, and to the heirs and assigns of such survivor, forever.

*DCL*

02/01/2002-05640  
02:28 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 CH 51.50

IN WITNESS WHEREOF, said GRANTOR has hereunto set his hand and seal this the 25th day of January, 2002.

Proctor & Sons Building, Inc.

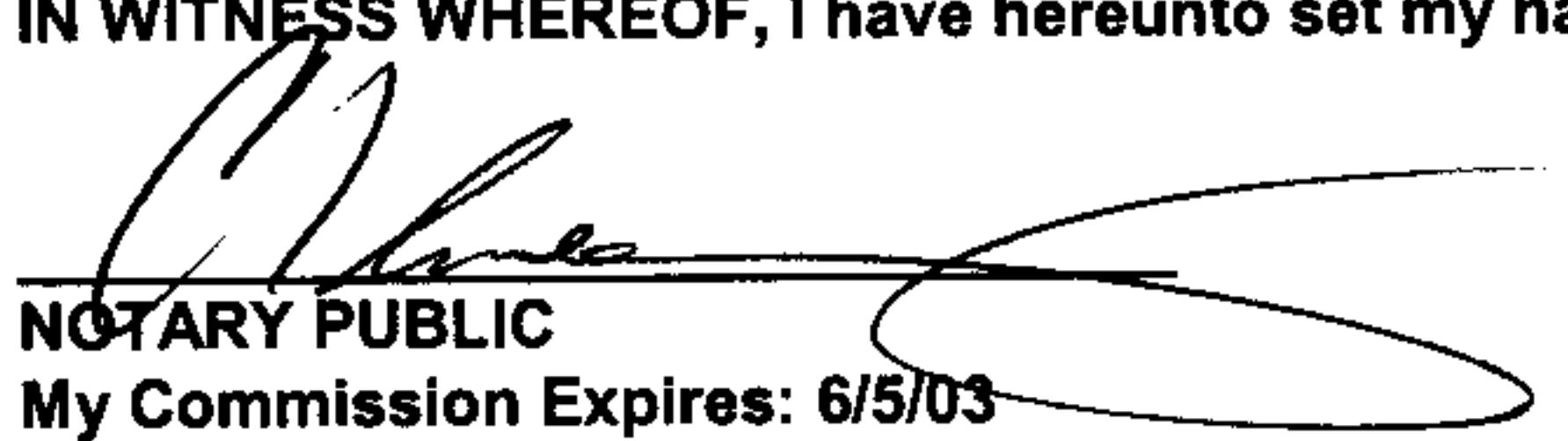
  
Donald R. Proctor

Donald R. Proctor, President

STATE OF ALABAMA )  
: )  
COUNTY OF JEFFERSON )

I, the undersigned, a Notary Public, in and for said County and State, hereby certify that Donald R. Proctor, whose name as President of Proctor & Sons Building, Inc., an Alabama corporation, is signed to the foregoing Instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the Instrument, he as such Officer and with full authority, signed the same voluntarily for and as the act of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this the 25th day of January, 2002.

  
NOTARY PUBLIC  
My Commission Expires: 6/5/03

Inst # 2002-05640

02/01/2002-05640  
02:28 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 CH 51.50