

6863

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was prepared by:

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

SEND TAX NOTICE TO:

THE DAVID GROUP, INC.
P.O. BOX 430188
BIRMINGHAM, AL. 35243

Inst # 2002-06337
02/06/2002-06337
09:48 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 CH 103.00

STATE OF ALABAMA)

COUNTY OF SHELBY)

WARRANTY DEED

Know All Men by These Presents: That in consideration of EIGHTY NINE THOUSAND DOLLARS and 00/100 (\$89,000.00) to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, ROBERT P. FANN, AN UNMARRIED MAN (herein referred to as GRANTORS) do grant, bargain, sell and convey unto THE DAVID GROUP, INC., (herein referred to as GRANTEES, whether one or more) the following described real estate, situated in SHELBY County, Alabama, to-wit:

LOT 43, ACCORDING TO THE SURVEY OF LAKE HEATHER ESTATES (GIVIANPOUR'S ADDITION TO INVERNESS) AS RECORDED IN MAP BOOK 16 PAGE 121 A, B & C, IN THE OFFICE OF THE JUDGE OF PROBATE OF SHELBY COUNTY, ALABAMA.

SUBJECT TO:

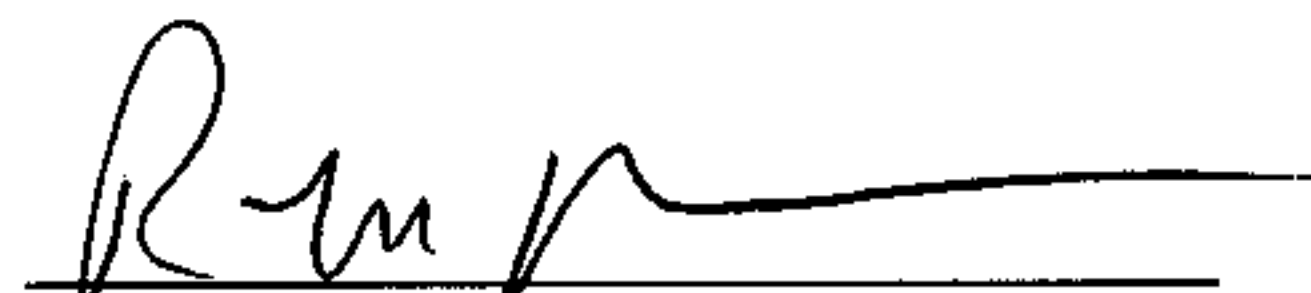
1. TAXES FOR THE YEAR BEGINNING OCTOBER 1, 2001 WHICH CONSTITUTES A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 2002.
2. EASEMENTS AS SHOWN BY RECORDED PLAT, INCLUDING 7.5 FEET ON THE SOUTHWESTERLY AND SOUTHEASTERLY SIDES OF LOT.
3. TITLE TO ALL MINERALS WITHIN AND UNDERLYING THE PREMISES, TOGETHER WITH ALL MINING RIGHTS AND OTHER RIGHTS, PRIVILEGES AND IMMUNITIES RELATING THERETO, INCLUDING RIGHTS SET OUT IN DEED BOOK 5 PAGE 335; DEED BOOK 4 PAGE 442; DEED BOOK 48 PAGE 427 IN THE PROBATE OFFICE. THE COMPANY DOES INSURE AGAINST LOSS OR DAMAGE BY THE ENFORCEMENT OR ATTEMPTED ENFORCEMENT OR RIGHT TO USE THE SURFACE OF THE LAND IN ORDER TO REMOVE MINERALS, WITHOUT CONSENT OR THE SURFACE OWNER.
4. DEED AND AGREEMENT BY AND BETWEEN METROPOLITAN LIFE INSURANCE COMPANY, INVERNESS POINT HOMEOWNERS ASSOCIATION, INC. AND THE CITY OF HOOVER, IN REGARD TO SANITARY SEWER TREATMENT FACILITY AS RECORDED IN REAL 314 PAGE 561 AND AGREEMENT AND ASSIGNMENT AS RECORDED IN REAL 328 PAGE 64 AND SUPPLEMENTAL DEED AND AGREEMENT IN REAL 365 PAGE 876 IN PROBATE OFFICE.
5. COVENANTS AND PROVISIONS REGARDING ROAD IMPROVEMENTS AS SET OUT IN DEED FROM METROPOLITAN LIFE INSURANCE COMPANY TO LAKE HEATHER DEVELOPMENT COMPANY, INC. RECORDED AS INST. #1992-16226 IN THE PROBATE OFFICE.

6. DECLARATION OF PROTECTIVE COVENANTS ATTACHED TO AND MADE A PART OF THE DEED FROM METROPOLITAN LIFE INSURANCE COMPANY TO LAKE HEATHER DEVELOPMENT COMPANY, INC. RECORDED IN INST. #1992-16226 AND AMENDED IN INST. #1992-26078 IN PROBATE OFFICE.
7. PRIVATE SUBDIVISION AGREEMENT BY AND BETWEEN LAKE HEATHER DEVELOPMENT COMPANY, INC. AND THE CITY OF HOOVER AS SET OUT IN INST. #1992-26077 IN THE PROBATE OFFICE.
8. RESTRICTIONS, COVENANTS AND CONDITIONS AS SET OUT IN MAP BOOK 16 PAGE 121 IN PROBATE OFFICE.

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, ROBERT P. FANN, AN UNMARRIED MAN, have hereunto set his, her or their signature(s) and seal(s), this the 23rd day of January, 2002.


 ROBERT P. FANN

STATE OF ALABAMA)
 COUNTY OF SHELBY)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that ROBERT P. FANN, whose name(s) is (are) signed to the foregoing conveyance, and who is (are) known to me, acknowledged before me on this day that, being informed of the contents of the conveyance he, she, or they executed the same voluntarily on the day the same bears date.

Given under my hand this the 23rd day of January, 2002.



 Notary Public

My commission expires: 9.29.02

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