This instrument was prepared by: mansen Weng Send Tax Notice To: DAVID F. OVSON, LLC 1130 South 22nd Street Birmingham, Alabama 35205 (Address) address WARRANTY DEED-35216 STATE OF ALABAMA KNOW ALL MEN BY THESE PRESENTS: <u>Jefferson</u> That in consideration of EIGHT HUNDRED FIFTY THOUSAND AND NO/100-----------DOLLARS(\$850,000.00) to the undersigned grantor (whether one or more), in hand paid by the grantee herein, the receipt whereof is acknowledged, I orwe, Ollie W. McClung, Jr., a married man Hansen Weng (herein referred to as grantor, whether one or more), grant, bargain, sell and convey unto (herein referred to as grantee, whether one or more), the following described real estate, situated in County, Alabama, Shelby to-wit: See Exhibit "A" Attached Hereto and Incorporated Herein by Reference. TO HAVE AND HOLD to the said grantee, 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, 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 person. IN WITNESS WHEREOF, have hereunto set _____ my___ hand(s) and seal (s), this _____ 1st August day of <u> 2002</u> (Seal) Ollie W. McClung, Jr (Seal) (Seal) (Seal) (Seal) STATE OF ALABAMA General Acknowledgment Jefferson COUNTY David F. Ovson a Notary Public in and for the said County, in said State, hereby certify that a married man <u>ie W. McClung, Jr.,</u> signed to the foregoing conveyance, and who whose name(s) _____ 18 known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance he executed the same voluntarily on the day the same bears date. August Given under my hands and official seal this ____ <u>lst</u> day of A.D., 2002

Ovson

Notary Public

David F.

EXHIBIT "A"

Lot 5A, according to the Map and Survey of a Resurvey of Lots 5, 6, 7 and 8 of Southpark, as recorded in Map Book 23, page 119, in the Office of the Judge of Shelby County, Alabama.

SUBJECT TO:

- 1. Ad valorem taxes for the year 2002, which are a lien, but not yet due and payable until October 1, 2002.
- 2. Easements, rights-of-way, restrictions, conditions and covenants of record.
- 3. First mortgage by Ollie W. McClung, Jr. to AmSouth Bank, dated March 11,1998, and recorded under Instrument Number 9803/6896 in the Probate Office of Jefferson County, Alabama and filed under Instrument Number 1998-09491 in the Probate Office of Shelby County, Alabama.
- 4. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto, including release of damages, as recorded in Deed Book 127, page 140.
- Easement and right-of-way granted Jefferson County recorded in Deed Book 153, page 212; Deed Book 177, page 25 and Deed Book 178, page 46.
- Easement agreement between Western Electric Company Incorporated and the Harbert Equitable Joint Venture recorded in Book 267, page 420.
- 7. Agreement between The Harbert Equitable Joint Venture and Sunlink Corporation as recorded under Instrument Number 1996-0745.
- 8. Agreement between The Harbert Equitable Joint Venture and EES Joint Venture as recorded under Instrument Number 1996-074.
- 9. Right-of-way granted BellSouth Services, Incorporated as recorded in Book 285, page 207.
- 10. Easements and building line as shown on recorded map.
- 11. Rights reserved by Sunlink Corporation as set forth in deed recorded in Real Volume 285, page 203.
- 12. Restrictions appearing of record in Shelby County Corporation Book 13, page 50 and amended in Corporation Book 15, page 189; Corporation Book 19, page 633 and under Instrument Number 1997-22108.
- 13. Transmission line permit to Alabama Power Company as recorded in Deed Book 101, page 523; Deed Book 139, page 157; Deed Book 219, page 506; Deed Book 251, page 886; Deed Book 292, page 356 and Deed Book 319, page 40.
- Easement and right-of-way granted Shelby County recorded in Real 285, page 207; Deed Book 153, page 212; Deed Book 177, page 25 and Deed Book 177, page 46.
- 15. Right-of-way granted Alabama Power Company recorded under Instrument Number 1998-34350 and under Instrument Number 1999-22205.

\$800,000.00 of the purchase price recited herein was derived from the proceeds of a mortgage loan closed simultaneously herewith.

The subject property is not the homeplace of the grantor or his spouse.