

SEND TAX NOTICE TO:  
Gary D. Parish  
Mary Martha Parish  
1028 Eagle Lake Circle  
Birmingham, AL 35242

WARRANTY DEED

STATE OF ALABAMA

JEFFERSON COUNTY

KNOW ALL MEN BY THESE PRESENTS.

That for and in consideration of One Hundred Ten Thousand and No/100 (\$110,000.00) DOLLARS, to the undersigned, **JERRY M. CLEMENTS and PATRICIA CLEMENTS**, husband and wife, (hereinafter referred to as "Grantors"), in hand paid by **GARY D. PARISHER and MARY MARTHA PARISHER** (hereinafter referred to as "Grantees"), the receipt, adequacy and sufficiency whereof are hereby acknowledged, the said Grantors do by these presents, grant, bargain, sell and convey unto the said Grantees, **GARY D. PARISHER and MARY MARTHA PARISHER**, for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, together with every contingent remainder and right of reversion, the following real estate, located and situated in Shelby County, Alabama:

See Exhibit "A" Attached Hereto and Incorporated Herein by Reference.

SUBJECT TO:


1. Ad valorem taxes for the year 2002 which are a lien but not yet due and payable.
2. Building setback line(s) as shown by restrictions set out in Instrument #1994-7111, amended in Instrument #1996-17543 along with supplemental agreement recorded in Instrument #1998-12385 and Map Book 23 page 132 A & B in Probate Office.
3. Easements as shown by recorded plat, including a 10 foot easement on the Southeasterly side and an irregular easement on the Northwesterly side of lot.
4. Declaration of Easements and Master Covenants as set out in instrument (s) recorded in Instrument #1994-7111, amended in Instrument #1996-17543 along with supplemental agreement recorded in Instrument #1998-12385 in Probate Office.
5. Transmission Line Permit(s) to Alabama Power Company as shown by instrument(s) recorded in Deed Book 111, page 408 in Probate Office.
6. Agreement for cable as set out in Instrument #1997-33476 in Probate Office.
7. 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 Instrument #1998-7776 and Deed Book 81, page 417 in Probate Office.
8. Release(s) of damages as set out in instrument(s) recorded in Instrument #1998-7776 in Probate Office.
9. Restrictions, limitations and conditions as set out in Map Book 23, page 132 A & B and Map Book 23, page 153 A & B.
10. Lake Easement Agreement as set out in Instrument #1993-15705 in Probate Office.
11. Easement for ingress and egress to serve Highland Lakes Development as set out in Instrument #1993-15704 in Probate Office.
12. Declaration of Easement by Highland Lakes Development, Ltd. and Highland Lakes Residential Association, Inc. as set out in Instrument #1995-18135 in Probate Office.
13. Underground easement to Alabama Power Company and set out in Instrument #1997-19422 in the Probate Office.


14. Scenic View Easement on the Southeasterly side as shown by recorded plat.
15. Easement(s) to Alabama Power Company as shown by instrument recorded in Instrument #1999-12008 in the Probate Office.
16. 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 Instrument No. 2002-1814 in the Probate Office.
17. The restriction in the Deed to Jerry M. Clements and Patricia Clements from Highland Lakes Development, Ltd., recorded as Instrument No. 2002-01814 providing that unless construction of a residence on the property in accordance with Paragraph 10 of the Home Site Sales Contract is commenced within two (2) years from the date of closing, the grantor can repurchase the property.

TO HAVE AND TO HOLD the said described property unto the said Grantees 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 for such survivor forever, together with every contingent remainder and right of reversion.

And said Grantors do for themselves, their heirs and assigns, covenant with said Grantees, their heirs, executors and assigns, that they are lawfully seized in fee simple of said premises, that they are free from all encumbrances, that they have a good right to sell and convey the same as aforesaid, and that they will and their heirs and assigns shall warrant and defend the same to the said Grantees, their heirs, executors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, we have set our hands and seals on this 12th day of September, 2002.

  
 JERRY M. CLEMENTS

  
 PATRICIA CLEMENTS

STATE OF ALABAMA

JEFFERSON COUNTY

I, the undersigned, A Notary Public in and for said County, in said State, hereby certify that Jerry M. Clements and Patricia Clements, whose names are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 12th day of September, 2002.

  
 NOTARY PUBLIC

NOTARY PUBLIC STATE OF ALABAMA AT LARGE  
 MY COMMISSION EXPIRES: Aug 27, 2004  
 BONDED THRU NOTARY PUBLIC UNDERWRITERS

My commission expires:

THIS INSTRUMENT WAS PREPARED BY:  
 DAVID F. OVSON, Attorney at Law  
 1130 South 22<sup>nd</sup> Street  
 Ridge Park Building, Suite 4800  
 Birmingham, AL 35205

Lot 605, according to the Map of Highland Lakes, 6<sup>th</sup> Sector, an Eddleman Community, as recorded in Map Book 23, page 132 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, as recorded in Inst. # 1994-07111 and amended in Inst. # 1996-17543 and further amended 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, 6<sup>th</sup> Sector, recorded as Inst. # 1998-12385 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.