

This instrument was prepared by

Send Tax Notice To: William D. Brady

(Name) Larry L. Halcomb  
3512 Old Montgomery Hwy, Ste. 219  
(Address) Birmingham, AL 35209

name  
2075 Knollwood Place  
address  
Birmingham, AL 35242

WARRANTY DEED, JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

STATE OF ALABAMA

JEFFERSON COUNTY

} KNOW ALL MEN BY THESE PRESENTS,

That in consideration of THREE HUNDRED THIRTY THOUSAND AND NO/100 DOLLARS (330,000.00)

to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt whereof is acknowledged, we,

Brady Residential Construction, LLC

(herein referred to as grantors) do grant, bargain, sell and convey unto William D. Brady & Jennifer B. Brady

(herein referred to as GRANTEES) as joint tenants with right of survivorship, the following described real estate situated in

Shelby

County, Alabama to-wit:

See Legal Description on attached Exhibit "A".

Minerals and mining rights excepted.

Subject to taxes for 2004.

Subject to items on attached Exhibit "B".

This conveyance is executed as required by the Articles of Organization and Operating Agreement and that the same have not been modified or amended.

\$ 220,000.00 of the purchase price was paid from the proceeds of a mortgage loan closed simultaneously herewith.

TO HAVE AND TO HOLD Unto the said GRANTEES as joint tenants, with right of survivorship, their heirs and assigns, forever; it being the intention of the parties to this conveyance, that (unless the joint tenancy hereby created is severed or terminated during the joint lives of the grantees herein) in the event one grantee herein survives the other, the entire interest in fee simple shall pass to the surviving grantee, and if one does not survive the other, then the heirs and assigns of the grantees herein shall take as tenants in common.

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 persons.

IN WITNESS WHEREOF, the said Grantor by its Member who is authorized to execute this conveyance hereto set its signature and seal this the 29th day of December, 2003.

Brady Residential Construction, LLC

By: William D. Brady

Its: Member

(Seal)

(Seal)

(Seal)

(Seal)

(Seal)

(Seal)

STATE OF ALABAMA

COUNTY OF JEFFERSON

I, the undersigned, a Notary Public in and for said county and state, hereby certify that William D. Brady, as Member, Brady Residential Construction, a Limited Liability Company, and whose name 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 said instrument he as such Member and with full authority, executed the same voluntarily for and as the act of said Limited Liability Company.

Given under my hand and official seal this the 29th day of December, 2003.

Exhibit "A"

Lot 1115, according to the Survey of Highland Lakes, 11<sup>th</sup> Sector, an Eddleman Community, as recorded in Map Book 27 page 84 A, B, C & D in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

**Together with** nonexclusive easement to use the private roadways, common areas, all as more particularly described in the Declaration of Easements and Master Protective Covenants for Highland Lakes, a Residential Subdivision, recorded as Inst. #1994-07111 and amended in Inst. No. 1996-17543 and with 2<sup>nd</sup> 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, 11<sup>th</sup> Sector, recorded in Inst. #2000-41316 in the Probate Office of Shelby County, Alabama (which, together with all amendments thereto, is hereinafter collectively referred to as, the "Declaration").



EXHIBIT "B"

Easements as shown by recorded plat, including 7.5 feet on the Southerly side and 15 feet on the rear of land.

Declarations of restrictions, covenants and conditions as set out in instrument(s) recorded in Inst. # 1994-07111, as amended in Inst. # 1996-17543, Inst. # 1999-31095 and Inst. No. 2000-41316 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.

Declaration of Covenants, Conditions and Restrictions for Highland Lakes, Eleventh Sector, by instrument recorded as Inst. # 2000-41316 in the Probate Office.

Right(s) of Way(s) granted to the Birmingham Water & Sewer Board as set out in Inst. # 1997-4027; Inst. # 1996-25667 and Inst. # 2000-12490 in the Probate Office.

Easement for ingress and egress to serve Highland Lakes Development executed by Highland Lakes Development, Ltd., to Highland Lakes Properties, Ltd., recorded as Inst. # 1993-15704 in the Probate Office.

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 the Probate Office.

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 28 page 237 in the Probate Office.

Release of damages as set out in Inst. # 1999-40619 in the Probate Office.

Cable Agreement as set out in Inst. # 1997-33476 in the Probate Office.

Restrictions, limitations and conditions as set out in Map Book 27 page 84 A, B, C & D in the Probate Office.

Easement(s) to Alabama Power Company as set out in Inst. # 2001-22920 in the Probate Office.

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. No. 20030701000414480 in the Probate Office.