

THIS INSTRUMENT WAS PREPARED BY:

✓ Clayton M. Ryan, Esq.
MAYNARD, COOPER & GALE, P.C.
1901 Sixth Avenue North
2400 AmSouth/Harbert Plaza
Birmingham, Alabama 35203

SEND TAX NOTICE TO:

THOMPSON REALTY CO., INC.
103 Carnoustie
Shoal Creek, Alabama 35242

WARRANTY DEED

STATE OF ALABAMA
COUNTY OF SHELBY

KNOW ALL MEN BY THESE PRESENTS, that in consideration of **TEN DOLLARS--(\$10.00)--** and other good and valuable consideration, to the undersigned grantor in hand paid by the Grantee herein, the receipt whereof is acknowledged, **PHILIP COLE**, an unmarried man (herein referred to as **GRANTOR**) does grant, bargain, sell and convey unto **THOMPSON REALTY CO., INC.**, an Alabama corporation (herein referred to as **GRANTEE**), the following described real estate situated in Shelby County, Alabama, to-wit:

Lot 177-B-1, according to the Resurvey of Lots 177-B, 178-B and 179-B of Montagel Subdivision, as recorded in Map Book 28, Page 60, in the Probate Office of Shelby County, Alabama.

SUBJECT TO:

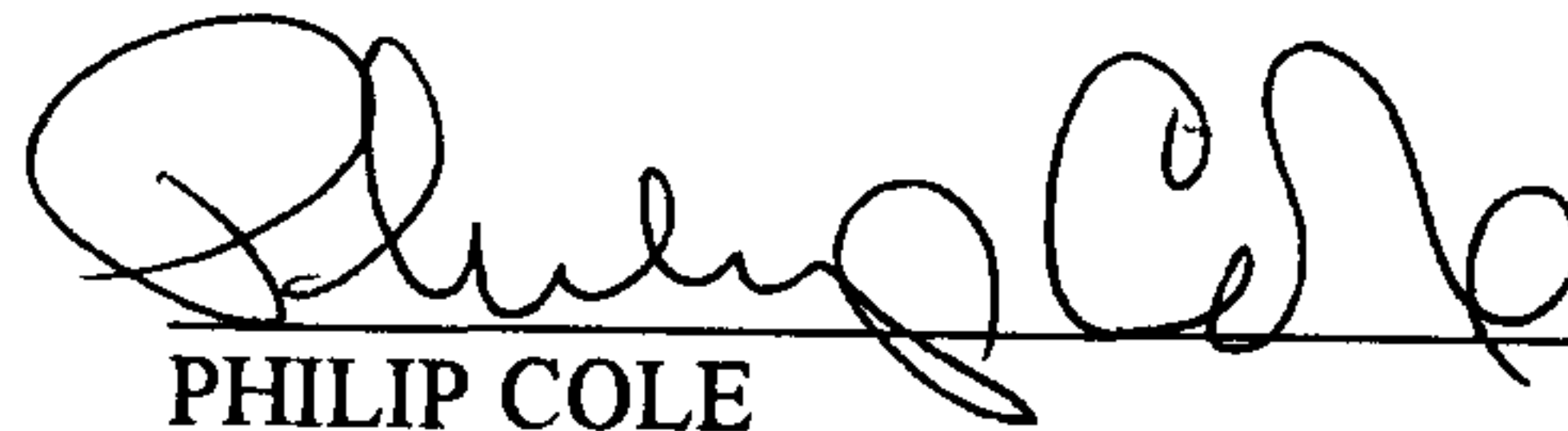
1. All taxes due in the year 2004 and thereafter.
2. Easements or claims of easements not shown by public records.
3. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto, including any release of damages, recorded in Volume 129, Page 294.
4. Right of way to Alabama Power Company recorded in Deed Book 318, Page 588; Volume 308, Page 651; and Misc. Volume 21, Page 855.
5. Right of way to South Central Bell Telephone Company recorded in Volume 356, Page 420 and Deed Book 306, Page 242.
6. Restrictions recorded in Misc. Volume 19, Page 861; Misc. Volume 23, Page 564; amended by Misc. Volume 23, Page 567; and further amended by Real Volume 370, Page 938.
7. Right of way granted to Water Works and Sewer Board of the City of Birmingham, as recorded under Instrument No. 1996-27521.
8. Agreement with Alabama Power Company recorded in Book 306, Page 519, refiled in Book 117, Page 602.
9. Right of way to Alabama Power Company recorded in Book 298, Page 894; and Book 306, Page 127.
10. Building lines, restrictions, conditions limitations and notes as shown on the recorded map.

This deed was prepared with information supplied by the Grantor herewith without the benefit of a title search being performed on the subject property.

TO HAVE AND TO HOLD Unto the said GRANTEE, its successors and assigns, forever;

And the Grantor does for himself and for his heirs and assigns covenant with the said GRANTEE, its successors and assigns, that he is lawfully seized in fee simple of said premises; that it is free from all encumbrances, unless otherwise noted above; that he has a good right to sell and convey the same as aforesaid; that he will, and his heirs and assigns shall, warrant and defend the same to the said GRANTEE, its successors and assigns forever, against the lawful claims of all persons.


IN WITNESS WHEREOF, the Grantor, has hereunto set his hand and seal this 9 day of January, 2004.


PHILIP COLE

STATE OF ALABAMA
COUNTY OF SHELBY

I, the undersigned, a Notary Public, in and for said County in said State, hereby certify that Philip Cole, 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 the instrument, he executed the same voluntarily on the day the same bears date.

Given under my official hand and seal this 9th day of January, 2004.


Notary Public
My Commission Expires: _____
(SEAL)
My Commission Expires: 7/9/2006