

THIS INSTRUMENT PREPARED BY: **B. CHRISTOPHER BATTLES**, 3150 HIGHWAY 52  
WEST, PELHAM, ALABAMA 35124. TELEPHONE (205) 664-1080.

**CORPORATION STATUTORY WARRANTY DEED**

STATE OF ALABAMA  
COUNTY OF SHELBY

**KNOW ALL MEN BY THESE PRESENTS** that for and in consideration of Thirty Thousand and no/100 (\$30,000.000) to the undersigned Grantor, **Pinnacle Bank, an Alabama corporation**, in hand paid by the Grantee herein, the receipt whereof is acknowledged, **Pinnacle Bank, an Alabama corporation**, (herein referred to as Grantor) does hereby grant, bargain, sell and convey unto **James Kirkwood** (herein referred to as Grantee, whether one or more), the following described real estate situated in Shelby County, Alabama:

**Lot 9, according to the Final Record Plat of Aaronvale Subdivision, Phase I, as recorded in Map Book 23, Page 78, in the Probate Office of Shelby County, Alabama. Mineral and mining rights excepted.**

Said property is conveyed subject to the following:

1. Ad valorem taxes for tax year 2004 due October 1, 2004 and delinquent January 1, 2005 and for all subsequent years thereafter.
2. All minerals and mining rights excepted.
3. Existing easements and rights-of-way for public roads and public utilities.
4. All matters which would be revealed by an accurate survey and actual physical inspection of said property.
5. Said property is conveyed "as is" with all warranties, both express and implied, hereby disclaimed, except as to title.
6. The statutory right of redemption, if applicable, on the part of those entitled to redeem under the laws of the State of Alabama from the foreclosure of that certain mortgage executed by Randy Brooks & Associates, Inc. to Pinnacle Bank on July 14, 1999, which mortgage was recorded as Instrument 1999-30278 in the office of the Judge of Probate of Shelby County, Alabama and which was foreclosed on May 20, 2002.
7. All easements, restrictions, set-back lines, rights-of-way and limitations of record.

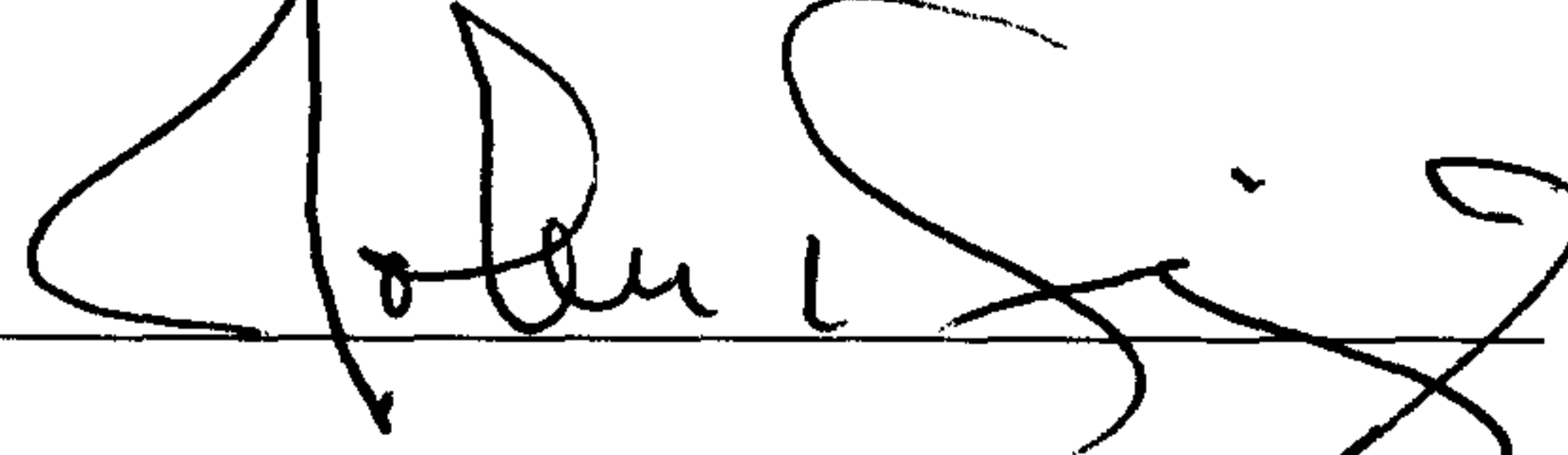
8. Agreement with Alabama Power Company regarding underground residential distribution system recorded in Shelby Real 641 at Page 526.
9. Any unpaid dues and/or charges to the North Shelby County Library District.
10. Any unpaid dues and/or charges to the Cahaba Valley Fire District.

Source of Title: Instrument 20020520000236470 Page 1-3.

**TO HAVE AND TO HOLD** to the said Grantee, in fee simple, and to the heirs and assigns of such survivor forever, together with every contingent remainder and right of reversion.

**IN WITNESS WHEREOF** the said **Pinnacle Bank, an Alabama corporation**, by **John Kirby** its **Senior Vice-President**, who is authorized to execute this conveyance, has hereto set its signature and seal, this the 3<sup>rd</sup> day of May, 2004.

**PINNACLE BANK, AN ALABAMA CORPORATION**


  
By:

**JOHN KIRBY, ITS SENIOR VICE-PRESIDENT**

STATE OF ALABAMA  
COUNTY OF SHELBY

I, the undersigned authority, a Notary Public in and for said county and state, hereby certify that **John Kirby** whose name is signed to the foregoing conveyance as **Senior Vice President of Pinnacle Bank, an Alabama corporation**, and who is known to me, acknowledged before me on this day, that being informed of the contents of said conveyance, he, as said officer and with full authority, executed the same voluntarily for and as the act of the said corporation.

Given under my hand and official seal this the 3<sup>rd</sup> day of May, 2004.

  
\_\_\_\_\_  
Notary Public  
My Commission Expires: 02-25-05

**SEND TAX NOTICE TO:**

**James Kirkwood**

5931 Cahaba Valley Road  
Birmingham, Alabama 35242