

Send Tax Notice to:
Jan D. Callender
1539 Applegate Lane
Alabaster, Alabama 35007

THIS INSTRUMENT WAS PREPARED BY:
V. Edward Freeman, II
Stone, Patton, Kierce & Freeman
118 N. 18th Street
Bessemer, Alabama 35020

WARRANTY DEED

STATE OF ALABAMA)

KNOW ALL MEN BY THESE PRESENTS:

SHELBY COUNTY)

That in consideration of SEVENTY EIGHT THOUSAND AND 00/100 (\$78,000.00) Dollars to the undersigned grantor (whether one or more), in hand paid by the grantee herein, the receipt whereof is acknowledged, we, DANA G. BEAUPRE and wife, CHRISTIE L. BEAUPRE (herein referred to as grantor, (whether one or more), do grant, bargain, sell and convey unto JAN D. CALLENDER (herein referred to as grantee, whether one or more), the following described real estate, situated in Shelby County, Alabama, to-wit:

Lot 58, according to a Resurvey of Lots 1 through 64, 89 through 104 and A through C, Applegate Manor, as recorded in Map Book 10, Page 25 A, B & C, in the Probate Office of Shelby County, Alabama, together with all rights, privileges, easements and appurtenant ownership interest in and to premises previously conveyed by Applegate Realty, Inc. to Applegate Townhouse Association, Inc., recorded in Real 65, Page 201, in the Probate Office of Shelby County, Alabama and more fully defined in the Declaration of Covenants, Conditions and Restrictions of Applegate Townhouse, in Real 63, Page 634 in the Probate Office of Shelby County, Alabama, being situated in Shelby County, Alabama.

Subject to:

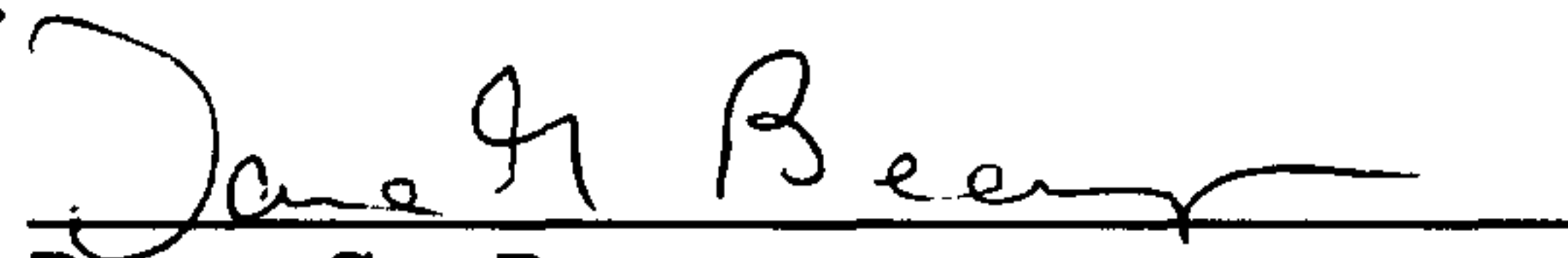

- (1) Taxes for the year 2005 and subsequent years not yet due and payable.
- (2) Easement to Applegate Realty in Inst. # 1995/17960.
- (3) Easements to Southern Natural Gas in Deed Book 99, Page 408; Deed Book 213, Page 128; Deed book 213, Page 130; Deed Book 213, Page 132 and Deed Book 213, Page 134.
- (4) Easements to Plantation Pipe Line Company in Deed Book 217, Page 247; Deed Book 212, Page 621 and Deed Book 212, Page 627.
- (5) Easement to South Central Bell in Deed Book 337, Page 235.
- (6) Right of Way to Shelby County in Deed Book 280, Page 330.
- (7) Transmission line permit to Alabama Power Company in Real 59, page 376.

- (8) Covenants, conditions and restrictions (provisions, if any, based on race, color, religion, sex, handicap, familial status or national origin are omitted) as set forth in Real Book 60, Page 748; Real Book 63, Page 634 and as amended in Real Book 125, Page 299.
- (9) Agreement with Alabama Power Company in Real Book 60, Page 745.
- (10) Reservation of mineral and mining rights in Real Book 177, Page 946, together with the appurtenant rights to use the surface.
- (11) Rights of others in the use of any common element such as common areas, shared roofs, shared foundations and party walls, if applicable.

TO HAVE AND TO HOLD to the said grantee, her heirs and assigns forever.

And we do for ourselves and for our heirs, executors and administrators covenant with the said grantee, her heirs and assigns, that we are lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise stated above; that we have a good right to sell and convey the same as aforesaid; that we will, and our heirs, executors and administrators shall warrant and defend the same to the said grantee, her heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, we have hereunto set our hands and seals, this 7th day of October, 2004.

 (Seal)
Dana G. Beaupre
 (Seal)
Christie L. Beaupre

STATE OF ALABAMA)
JEFFERSON COUNTY)

GENERAL ACKNOWLEDGMENT

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Dana G. Beaupre and Christie L. Beaupre, 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 7th day of October, 2004.


Notary Public

My Commission Expires: 4-8-2005