

This instrument prepared by:  
Jeff G. Underwood, Attorney  
Sirote & Permutt P.C.  
2311 Highland Avenue South  
Birmingham, Alabama 35205  
1872495

Send Tax Notice to:  
Richard C. Endris

145 Minnow Lane  
Shelby, AL 35143

**SPECIAL WARRANTY DEED**

STATE OF ALABAMA

KNOW ALL MEN BY THESE PRESENTS,

SHELBY COUNTY

That in consideration of One hundred thirty-three thousand and 00/100 Dollars (\$133,000.00) to the undersigned Grantor, Federal Home Loan Mortgage Corporation, a corporation, organized and existing under the laws of the United States of America, by Burrow Closing Management Corporation, as Attorney in Fact, (herein referred to as Grantor) in hand paid by the Grantee herein, the receipt whereof is acknowledged, the said Grantor does by these presents, grant, bargain, sell and convey unto Richard C. Endris, (herein referred to as Grantee), the following described real estate situated in Shelby County, Alabama, to-wit:

Commence at the Southeast corner of the Southwest 1/4 of the Northeast 1/4 of Section 12, Township 24 North, Range 15 East; thence run West along the South line of the said 1/4-1/4 for a distance of 726.27 feet; thence turn an angle to the right of 93 degrees, 27 minutes, 18 seconds and run North for 181.32 feet to the point of beginning; thence continue along the last described course for 120.42 feet, thence turn an angle to the left of 33 degrees, 37 minutes, 04 seconds and run North for 25.31 feet; thence turn an angle to the left of 91 degrees, 31 minutes, 14 seconds and run Southwest for 101.13 feet; thence turn an angle to the left of 12 degrees, 33 minutes, 16 seconds and run Southwest for 104.57 feet; thence turn an angle to the left of 83 degrees, 40 minutes, 18 seconds and run Southeast for 18.74 feet; thence turn an angle to the right of 55 degrees, 41 minutes, 41 seconds and run Southwest for 39.08 feet; thence turn an angle to the left of 08 degrees, 58 minutes, 40 seconds and run Southwest for 103.83 feet; thence turn an angle to the left of 137 degrees, 52 minutes, 49 seconds and run Northeast for 75.41 feet thence turn an angle to the right of 01 degrees, 19 minutes, 48 seconds and run Northeast for 147.97 feet; thence turn an angle to the right of 33 degrees, 49 minutes, 42 seconds and run Northeast for 7.23 feet to the point of beginning.

More particularly described in that survey dated Oct. 6, 2004 and prepared by S.M. Allen PLS # 12944:

Commence at the Southeast corner of the Southwest quarter of the Northeast quarter of Section 12, Township 24 North, Range 15 East, Shelby County, Alabama and run thence South 86 degrees 40 minutes 46 seconds West along the South line of said quarter-quarter a distance of 726.27 feet to a point; Thence run North 16 degrees 07 minutes 07 seconds East a distance of 231.99 feet to a found rebar corner at a fence corner and the point of beginning of the property being described; Thence run North 45 degrees 46 minutes 06 seconds West along an existing chain link fence a distance of 108.53 feet to a spike corner at a fence corner; Thence run North 33 degrees 42 minutes 33 seconds West along said chain link fence a distance of 25.43 feet to a



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found rebar corner at a fence corner; Thence run South 51 degrees 04 minutes 02 seconds West a distance of 172.62 feet to a set rebar corner at an existing chain link fence corner; Thence run South 00 degrees 36 minutes 57 seconds East along an existing chain link fence a distance of 143.52 feet to a set rebar corner; Thence run North 45 degrees 27 minutes 04 seconds East along said fence line a distance of 59.80 feet to a found rebar corner; Thence run South 37 degrees 27 minutes 13 seconds East along said fence line a distance of 14.89 feet to a found rebar corner at a fence corner; Thence run North 48 degrees 51 minutes 19 seconds East along an existing chain link fence a distance of 118.89 feet to a fence corner that is a property corner; Thence run North 60 degrees 42 minutes 56 seconds East along an existing fence line a distance of 95.63 feet to the point of beginning. Property is subject to any and all agreements, easements, restrictions, limitations and/or regulations of probated record and/or applicable law.

Subject to:

- 1) Any item disclosed on that certain policy of title insurance obtained in connection with this transaction.
- 2) Ad valorem Taxes for the current tax year, which Grantee herein assume and agree to pay.
- 3) Easement/right-of-way to Alabama Power Company as recorded in Book 237 Page 852 and Book 244, Page 766.
- 3) Riparian rights-Lay Lake.

Flood rights of Alabama Power Company.

Driveway easement and encroachment as referred to in Instrument No. 1998-50415 and 2001-46753.

Subject to boundary line judgment outlined in Instrument no. 2001-46753 and 1998-50415.

Subject to that boundary line judgment dated 1-29-98 as entered in the Circuit Court of Shelby County, Al. and detailed in Instrument No. 2001-46753. Said judgement pertains to litigation involving Case No. 96-677 in the Circuit Court of Shelby County, Al. Said judgment affirms prior boundary line dispute litigated in Case No. CV-90-282J in the Circuit Court of Shelby County. Said dispute being settled by court order dated 9-19-91, whereby an easement was granted to adjacent property owners for the express purpose of launching a boat into Lay Lake. Said easement purports to grant ingress/egress along the West boundary line of subject property.

- 3) All outstanding rights of redemption in favor of all persons entitled to redeem the property from that certain mortgage foreclosure sale evidenced by mortgage foreclosure deed recorded in Instrument No. 20040224000093080, in the Probate Office of Shelby County, Alabama.

\$ 106,400.00 of the above consideration was paid from the proceeds of a mortgage loan closed simultaneously herewith.

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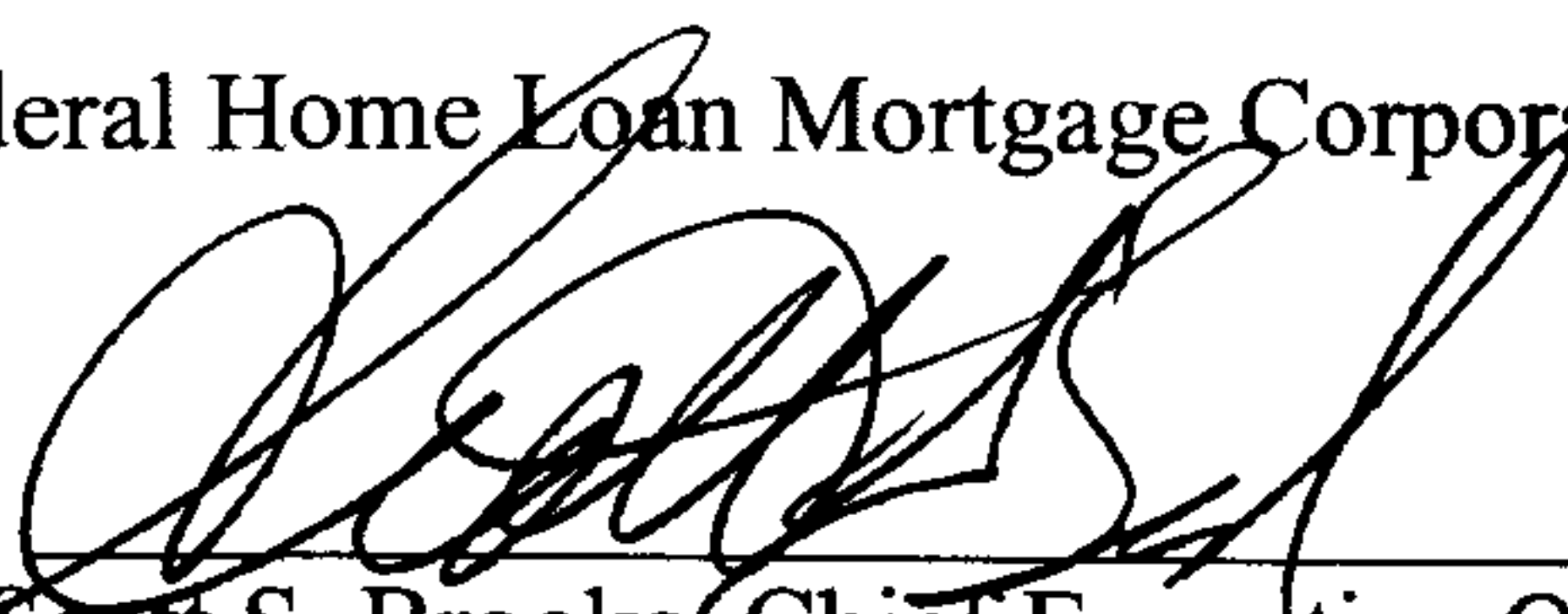
20041124000648410 Pg 3/3 44.00  
Shelby Cnty Judge of Probate, AL  
11/24/2004 14:43:00 FILED/CERTIFIED

This property is sold as is and grantor only warrants title from the time grantor obtained title until the date grantor conveys its interest in the aforesaid property to the grantee.

TO HAVE AND TO HOLD Unto the said Grantee, his/her heirs and assigns, forever.

IN WITNESS WHEREOF, the said Grantor, has hereto set its signature and seal, this the 17 day of November, 2004.

Federal Home Loan Mortgage Corporation

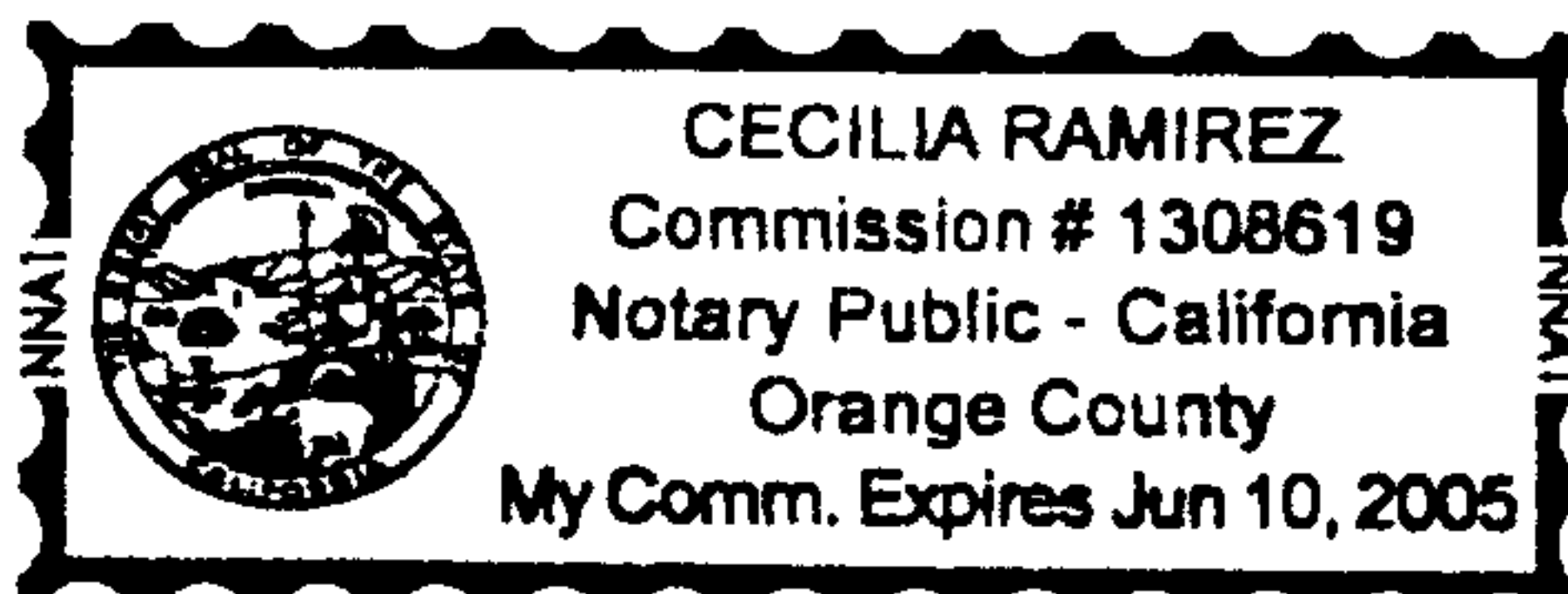
By:   
Its Scott S. Brooks, Chief Executive Officer  
As Attorney in Fact


STATE OF California

COUNTY OF Orange

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Scott S. Brooks, Chief Executive Officer as Attorney in Fact for Federal Home Loan Mortgage Corporation, a corporation, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he/she, as such officer and with full authority, executed the same voluntarily for and as the act of said Corporation, action in its capacity as Attorney in Fact as aforesaid.

Given under my hand and official seal, this the 17 day of November, 2004.



  
NOTARY PUBLIC: Cecilia Ramirez  
My Commission expires: June 10, 2005  
AFFIX SEAL

504548  
2004-000246