

Send tax notice to:

Arthur J. Gay III  
Elisabeth S. Gay  
1016 Locksley Circle  
Birmingham, AL 35242

This instrument prepared by:  
Stewart & Associates, P.C.  
3595 Grandview Pkwy, #345  
Birmingham, Alabama 35243

BHM0415142

STATE OF ALABAMA  
COUNTY Shelby

**WARRANTY DEED**

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of Three Hundred Eighty Five Thousand and 00/100 Dollars (\$385,000.00) in hand paid to the undersigned R.R. Polarek and Karen Polarek, Husband and Wife (hereinafter referred to as Grantors") by Arthur J. Gay, III and Elisabeth S. Gay (hereinafter referred to as Grantees"), the receipt and sufficiency of which are hereby acknowledged, Grantors do, by these presents, grant, bargain, sell, and convey unto Grantees, as joint tenants with right of survivorship, the following described real estate situated in Shelby County, Alabama, to-wit:

Lot 1446, according to the Map of Highland Lakes, 14th Sector, an Eddleman Community, as recorded in Map Book 30, page 74 A & B, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

Together with nonexclusive easement to use the private roadways, Common Area, all as more particularly described in the Declaration of Easements and Master Protective Covenants for Highland Lakes, a Residential Subdivision, recorded as Instrument #1994-07111, and amended in Instrument #1996-17543, and amended in Instrument #1999-31095, in the Probate Office of Shelby county, Alabama, and the Declaration of Covenants, Conditions and Restrictions for Highland Lakes, a Residential Subdivision, 14th Sector, as setforth in Instrument #20021101000539740, in the Probate Office of Shelby County, Alabama, (which together with all amendments thereto, is hereinafter collectively referred to as, the "Declaration").

SUBJECT TO:

ADVALOREM TAXES DUE OCTOBER 01, 2005 AND THEREAFTER.

BUILDING AND SETBACK LINES, RESTRICTIONS, COVENANTS AND CONDITIONS OF RECORD.

\$308,000.00 OF THE CONSIDERATION AS WAS PAID FROM THE PROCEEDS OF A MORTGAGE LOAN.

TO HAVE AND TO HOLD to Grantees, as joint tenants, with right of survivorship, their heirs, executors, administrators and assigns forever.

The Grantors do for themselves, their heirs and assigns, covenant with Grantees, their heirs, executors, administrators and assigns, that they are is lawfully seized in fee simple of said premises; that they are free from all encumbrances except as noted above; that they have a good right to sell and convey the same as aforesaid; and that they will, and their heirs, executors, administrators shall

warrant and defend the same to the said grantee, their heirs and assigns forever against the lawful claims of all persons.

20050104000000400 Pg 2/2 91.00  
Shelby Cnty Judge of Probate, AL  
01/04/2005 08:42:00 FILED/CERTIFIED

IN WITNESS WHEREOF, Grantor(s) R.R. Polarek and Karen Polarek hereunto set their signature(s) and seal(s) on December 28, 2004.

  
R.R. Polarek

  
Karen Polarek


STATE OF ALABAMA  
COUNTY OF Jefferson

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that R.R. Polarek and Karen Polarek, Husband and Wife, whose name(s) is/are signed to the foregoing instrument, and who is/are known to me, acknowledged before me on this day, that, being informed of the contents of the said instrument, he/she/they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 28th day of December, 2004.

(NOTARIAL SEAL)



  
Notary Public  
Print Name: Charles D. Stewart, Jr.

Commission Expires:

4-13-08