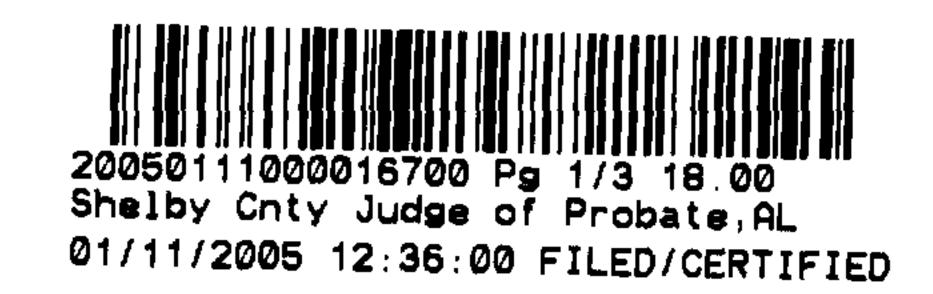
## ALL CONSIDERATION VALUE IS BEING PAID BY A REAL ESTATE MORTGAGE FILED SIMULTANEOUSLY HEREWITH.

Send Tax Notice To:

Jack Fiorella III 3800 Corporate Woods Drive Suite 100 Birmingham, Alabama 35242



## STATUTORY WARRANTY DEED

STATE OF ALABAMA	)	
	)	KNOW ALL PERSONS BY THESE PRESENTS:
COUNTY OF SHELBY	)	

That in consideration of One Hundred Four Thousand Five Hundred Sixteen and 27/100 Dollars (\$104,516.27) to the undersigned **HERITAGE BANK**, an Alabama banking corporation (the "Grantor"), in hand paid by **JACK FIORELLA III** (the "Grantee"), the receipt of which is hereby acknowledged, Grantor does by these presents, grant, bargain, sell and convey unto Grantee that certain real estate situated in Shelby County, Alabama, and more particularly described on the attached Exhibit "A".

## SUBJECT TO:

- 1. All restrictions, easements and encumbrances of record; and
- 2. Ad valorem taxes.

TO HAVE AND TO HOLD to Grantee, his heirs and assigns forever.

And subject to the foregoing, Grantor does for itself, its successors and assigns covenant with Grantee, his heirs and assigns, that it will warrant and its successors and assigns will warrant and forever defend the right and title to the said premises unto Grantee, his heirs and assigns, against the claims of all persons owning, holding, or claiming by, through, or under Grantor, which claims are based upon matters occurring subsequent to Grantor's acquisition of the premises, and prior to the time of delivery of this deed.

\* \* \* \*

IN WITNESS WHEREOF, Grantor has hereto set its signature and seal, this the day of, 2004.
By: Print Name:   Lane!   Dione Its:
STATE OF ALABAMA COUNTY OF Chille
I, the undersigned, a Notary Public in and for said County in said State, hereby certify that how for the foregoing instrument, and who is known to me, acknowledged before me that, being informed of the contents of such instrument, he/she, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.  Given under my hand and official seal, this the day of level to the foregoing instrument, he/she, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.  Given under my hand and official seal, this the day of level to the foregoing instrument, he/she, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.  [SEAL]  Notary Public  My Commission Expires:
NOTARY PUBLIC STATE OF ALABAMA AT LARGE

MY COMMISSION EXPIRES: Oct 13, 2008
BONDED THRU NOTARY PUBLIC UNDERWRITERS

20050111000016700 Pg 3/3 18.00 Shelby Cnty Judge of Probate, AL 01/11/2005 12:36:00 FILED/CERTIFIED

## EXHIBIT A LEGAL DESCRIPTION OF PROPERTY

Unit 708, in Horizon, a Condominium, as established by that certain Declaration of Condominium of Horizon, a Condominium, which is recorded in Instrument # 2001-40927, to which Declaration of Condominium a plan is attached as Exhibit "A" thereto, said Plan being filed for record in Map Book 28, Page 141, in the Probate Office of Shelby County, Alabama, and to which said Declaration of Condominium the By-Laws of The Horizon Condominium Association, Inc. is attached as Exhibit "D", together with an undivided interest in the Common Elements assigned to said Unit, as shown in Exhibit "C" of said Declaration of Condominium of Horizon, a Condominium.