


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


20050111000016700 Pg 1/3 18.00
Shelby Cnty Judge of Probate, AL
01/11/2005 12:36:00 FILED/CERTIFIED

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 21st
day of December, 2004.

HERITAGE BANK

By: [Signature]

Print Name: Daniel J. Gorman

Its: Senior Vice President

STATE OF ALABAMA
COUNTY OF Shelby

I, the undersigned, a Notary Public in and for said County in said State, hereby certify
that Daniel J. Gorman Jr, whose name as
Senior Vice President of Heritage Bank, an Alabama banking corporation, is signed
to 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 21st day of December, 2004.

[Signature] [SEAL]
Notary Public
My Commission Expires: Oct 13, 08

NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: Oct 13, 2008
BONDED THRU NOTARY PUBLIC UNDERWRITERS

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.