

THIS INSTRUMENT PREPARED BY:  
Riley & Riley, P.C.  
1950 Stonegate Drive, Suite 150  
Birmingham, Alabama 35242

SEND TAX NOTICE TO:  
Mary Frances Barrile  
9366 Brook Forest Circle  
Helena, Alabama 35080

STATE OF ALABAMA  
SHELBY COUNTY

Shelby County, AL 06/06/2005  
State of Alabama

Deed Tax: \$50.00

**GENERAL WARRANTY DEED**

**KNOW ALL MEN BY THESE PRESENTS:** That in consideration of One Hundred Twenty Thousand and no/100 Dollars (\$120,000.00) to **NANCY HOWZE, an unmarried woman**, (the "Grantor"), in hand paid by **MARY FRANCES BARRILE**, (the "Grantee"), the receipt and sufficiency of which is hereby acknowledged, Grantor does by these presents grant, bargain, sell and convey unto Grantee, subject to the covenants, conditions and other matters set forth below, the real estate situated in Shelby County, Alabama, more particularly described as follows (the "Property"):

Lot 26-A, according to the Survey of Brook Forest Addition to Wyndham, as recorded in Map Book 27, Page 25, in the Probate Office of Shelby County, Alabama.

SUBJECT TO:

1. Taxes and assessments for the year 2005 and subsequent years, not yet due and payable.
2. Any lien, or right to a lien, for services, labor, or material hereto or hereafter furnished, imposed by law and not shown by the public records.
3. 25-foot building setback line along Brook Forest Circle as shown on recorded map.
4. 10-foot easement located along the rear lot line as shown on the recorded map of said subdivision.
5. 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 instrument document recorded in Real 230, Page 774 and Real 183, Page 230.
6. Agreement with Alabama Power Company as set forth in the instrument recorded in Real 7, Page 826 and Real 7, Page 829.
7. Reservation of mineral mining rights in the instrument recorded in Deed Book 324, Page 362, together with the appurtenant rights to use the surface. The Company Makes no representation as to the present ownership of this interest.
8. Easement to the Town of Helena as set forth in the instrument recorded in Deed Book 304, Page 394, Deed Book 305, Page 396, Deed Book 304, Page 398, Deed Book 305, Page 400 and Deed Book 305, Page 402.
9. Irrevocable right of ingress/egress recorded in Real 192, Page 743.
10. Easement to public for driving purposes recorded in Deed Book 311, Page 153.
11. Terms, provisions, covenants, conditions, restrictions, easements, charges, assessments and liens (provisions, if any, based on race, color, religion, or national origin are omitted) provided in the Covenants, Conditions and Restrictions recorded in Instrument #2001/22923.

**TO HAVE AND TO HOLD** unto Grantee, subject to the matters described above, her heirs and assigns forever.

And Grantor does for himself, his heirs and assigns, covenant with Grantees, their heirs and assigns, that Grantor is lawfully seized in fee simple of the Property; that the Property is free from all encumbrances, unless otherwise noted above; that Grantor has a good right to sell and convey the Property as aforesaid, and that Grantor will, and Grantor's successors and assigns shall, warrant and defend the same to Grantees, their heirs, executors and assigns forever, against the lawful claims of all persons.

**\$70,000.00 of the above recited proceeds were paid by a mortgage loan closed simultaneously herewith.**



20050606000273950 2/2 \$64.00  
Shelby Cnty Judge of Probate, AL  
06/06/2005 03:02:51PM FILED/CERT

IN WITNESS WHEREOF, Grantor, **NANCY HOWZE**, has caused this conveyance to be executed as of the 11<sup>th</sup> day of May, 2005.

*Nancy Howze by and through Ashley Bass Hibberts, Her Attorney-in-fact*  
**NANCY HOWZE, by and through Ashley Bass Hibberts,**  
**Her attorney-in-fact.**

STATE OF ALABAMA  
JEFFERSON COUNTY

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that **NANCY HOWZE, by and through Ashley Bass Hibberts, her attorney-in-fact**, whose name is signed to the foregoing conveyance, and whom is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he, executed the same voluntarily for and as his act on the day the same bears date.

Given under my hand and official seal this 11<sup>th</sup> day of May, 2005.

*Kristy L. Riley*  
\_\_\_\_\_  
Notary Public  
My Commission expires: 10-1-05

