

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

SEND TAX NOTICE TO:
Dexter T. Cung
1000 Waters Edge Circle
Birmingham, Alabama 35242

STATE OF ALABAMA
SHELBY COUNTY

## GENERAL WARRANTY DEED

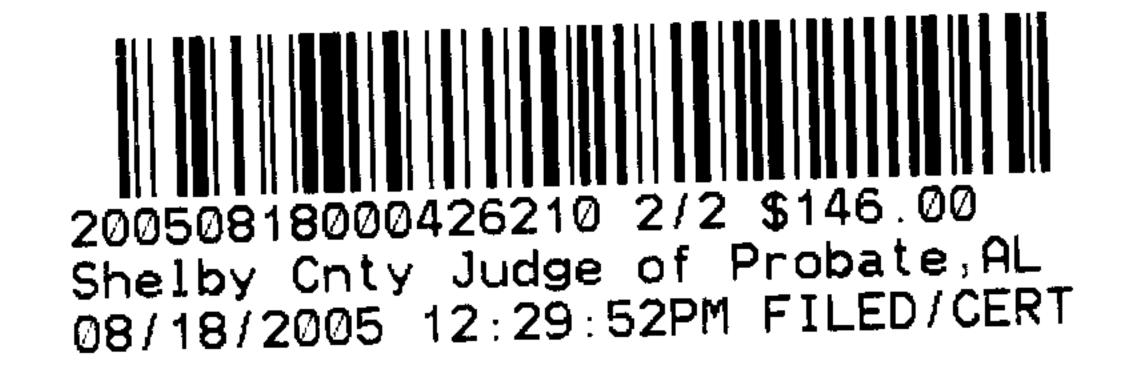
KNOW ALL MEN BY THESE PRESENTS: That in consideration of One Hundred Thirty-Two Thousand and no/100 Dollars (\$132,000.00) to (the "Grantor") RONALD W. MCCALMAN and REBECCA D. MCCALMAN, husband and wife, in hand paid by DEXTER T. CUNG, (the "Grantee"), the receipt and sufficiency of which is hereby acknowledged, Grantor does by these presents grant, bargain, sell and convey unto Grantees, 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 43B, according to the Final Plat of Stonegate Realty – Subdivision of Lots 41, 42, 43 and 44, as recorded in Map Book 32, page 108, in the Probate Office of Shelby County, Alabama; being situated in Shelby County.

TOGETHER WITH the nonexclusive easement to use the Development Roads as more particularly defined and described in the Covenants.

## SUBJECT TO:

- 1. General and special taxes or assessments for 2005 and subsequent year not yet due and payable.
- 2. Any loss, claim, damage or expense including additional tax due, if any due to the fact that as valorem taxes for subject property have been paid under a current use assessment. (See 1975 Code of Alabama Section 40-7-25.3).
- 3. Building setback line and easements as shown by recorded plat.
- 4. Restrictions, covenants and conditions as set out in instrument(s) recorded in Inst. # 2001-5954 as amended and restated in Inst. # 2001-12016; Inst. No. 2001-5954; Inst. No. 2001-12016 and Inst. No. and Inst. No. 2003-11166 together with Articles of Incorporation of Stonegate Farms Property Owners Association, Inc. recorded in Inst. # 2001-5955 in the Probate Office.
- 5. Easement(s) to Alabama Power Company as shown by instrument recorded in Deed Book 185, page 475; Deed Book 182, page 326; Deed Book 184, page 172; and Deed Book 180, page 35, and Inst. No. 2002-8798, in said Probate Office.
- 6. Easement and Use Restrictions Agreement recorded as Instrument #2001/02969 in said Probate Office.
- 7. Restrictions, limitations and conditions as set out in Map Book 33, page 122; Map Book 29, page 4 A & B, and Map Book 31, pages 28 A & B, in the Probate Office.
- 8. Right(s) of Way(s) granted to The Water Works and Sewer Board of the City of Birmingham by Instrument(s) recorded in Inst. No. 20020718000335510 and Inst. No. 20030731000494840 in the Probate Office.
- 9. Restrictive Covenants and Grant of Land Easement(s) in favor of Alabama Power Company as shown by instrument(s) recorded in Inst. No. 20021119000577440 and Inst. No. 2002-18715, Inst. #20040102000000750 and Inst. #20020821000398600 and Inst. No. 2002-18715 in the Probate Office.



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

And Grantors do for themselves, their heirs and assigns, covenant with Grantee, his 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 Grantee, his heirs, executors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, Grantor, RONALD W. MCCALMAN and REBECCA D. MCCALMAN, have caused this conveyance to be executed as of the 26<sup>th</sup> day of July, 2005.

RONALD W. MCCALMAN

REBECCA D. MCCALMAN

Shelby County, AL 08/18/2005 State of Alabama

Deed Tax:\$132.00

STATE OF ALABAMA
JEFFERSON COUNTY

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that **RONALD W. MCCALMAN and REBECCA D. MCCALMAN**, whose names are signed to the foregoing conveyance, and whom are known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, they, executed the same voluntarily for and as their act on the day the same bears date.

Given under my hand and official seal this 26<sup>th</sup> day of July, 2005.

Notary Public/

My Commission expires:\_\_\_\_

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