

WARRANTY DEED

20050906000458310 1/1 \$12.00  
Shelby Cnty Judge of Probate, AL  
09/06/2005 02:12:23PM FILED/CERT

STATE OF ALABAMA  
COUNTY OF JEFFERSON

]

That in consideration of Two Hundred Thousand and no/100s Dollars [\$200,000.00] and other good and valuable consideration to the undersigned Grantors, F. Jeffrey Hester and Katherine Hester, husband and wife, in hand paid by the Grantees herein, the receipt of which is hereby acknowledged, the said Grantors do by these presents, grant, bargain, sell and convey unto M. James Mitchell and Nicole Mitchell, husband and wife, referred to as Grantees) the following described real estate in fee simple, situated in Jefferson County, Alabama, to wit:

2546 Comanche Drive, Birmingham, AL 35244

Lot 24, according to the Survey of Indian Valley Third Sector, as recorded in Map Book 5, page 97 in the Probate Office of Shelby County, Alabama.

Parcel ID#: 10-5-16-0-004-009.000

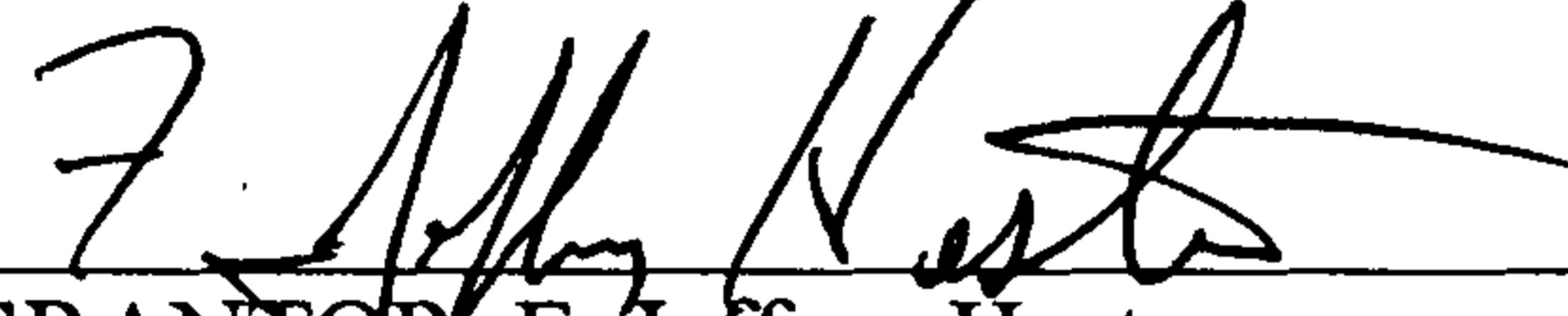
Subject to all rights or claims of parties in possession, easements or claims, discrepancies, conflicts in boundary lines, shortage in area, encroachment and a defects, liens, encumbrances, adverse claims, liens, rights to liens, for services, labor or material imposed by law and not shown by the public record or other matters, first appearing in the public records subsequent to the effective date hereof, but prior to the date the insured acquires for value of record the estate or interest or mortgage thereon, easements as shown by recorded map, restrictions appearing of record, other easements and permits to Alabama Power Company and Southern Bell Telephone, sanitary sewer agreements, restrictions or covenants, rights of way, mineral and mining rights, all existing, future, or common law or statutory rights of access between the right of way I-459 and subject property as conveyed and relinquished to the State of Alabama, pursuant to Order of Condemnation, and taxes and assessments which are not yet due and payable.

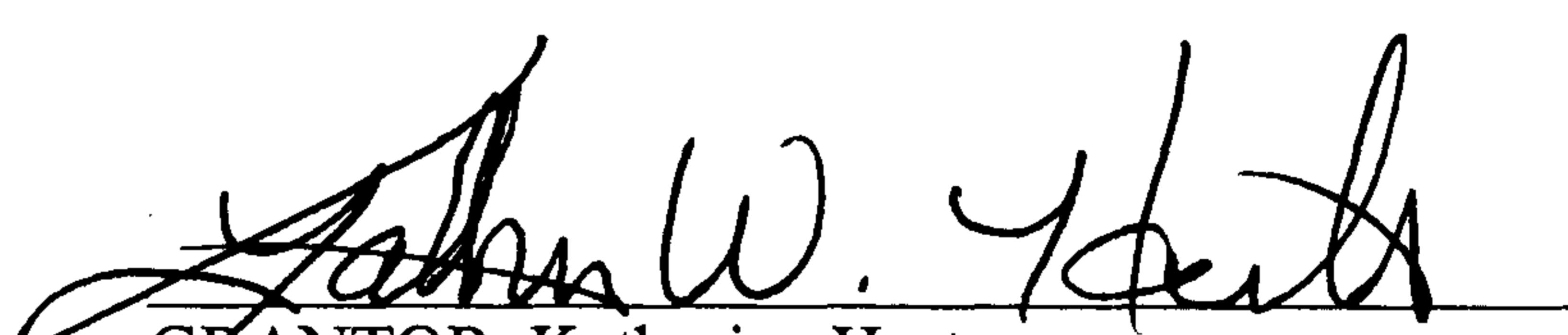
Subject to 1<sup>st</sup> mortgage in the amount of \$Two Hundred Thousand and no/100s dollars [\$200,000.00].

TO HAVE AND TO HOLD, to the said GRANTEEES, his heirs, executors, successors and assigns forever.

AND SAID GRANTORS do for themselves, their successors and assigns, covenant with said GRANTEEES, his heirs and assigns, that GRANTORS are lawfully seized in fee simple of said premises, that they are free from all encumbrances, unless otherwise noted above, that GRANTORS have a good right to sell and convey the same as aforesaid, and that GRANTORS will and its successors and assigns shall, warrant and defend the same to the said GRANTEEES, their heirs, executors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said GRANTORS, who are authorized to execute this conveyance, have hereto set their signature and seal, this the 31<sup>st</sup> day of August, 20<sub>05</sub>.

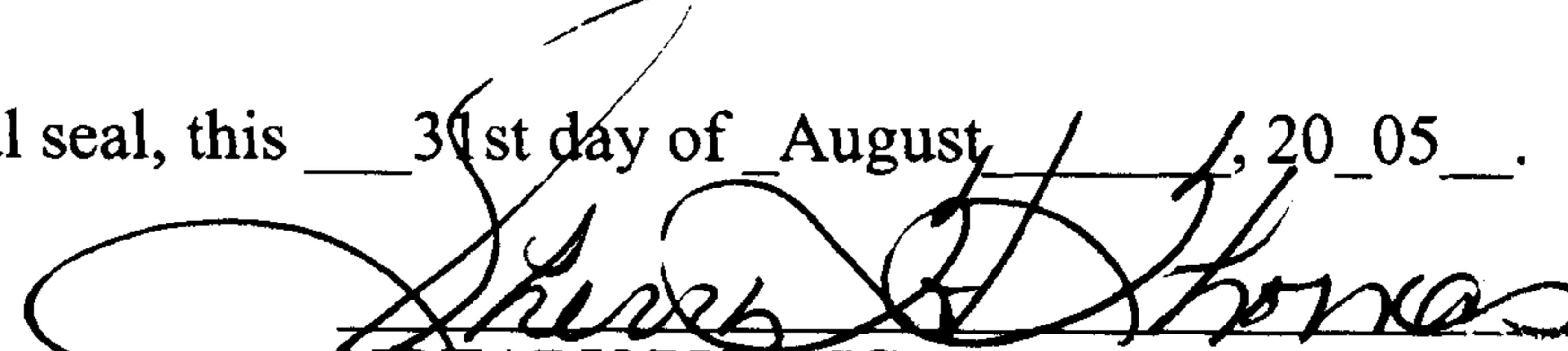
  
GRANTOR, F. Jeffrey Hester.

  
GRANTOR, Katherine Hester

STATE of ALABAMA  
COUNTY of Jefferson

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that F. Jeffrey Hester and Katherine Hester, husband and wife, whose names are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, each executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this 31<sup>st</sup> day of August, 20<sub>05</sub>.

  
NOTARY PUBLIC  
My Commission Expires: 12/16/2007

INSTRUMENT PREPARED BY:  
Law Office of Sherry H Thomas, LLC  
Chase Commerce Park, Suite 109  
3821 Lorna Road  
Birmingham, AL 35244

SEND TAX NOTICE TO:  
Mr. & Mrs. James Mitchell  
2546 Comanche Drive  
Birmingham, AL 35244