13148

20050907000461660 1/3 $18.00
Shelby Cnty Judge of Probate,AL
09/07/2005 01:37:26PM FILED/CERT

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This Instrument was
prepared by:

R. Shan Paden
PADEN & PADEN
Attorneys at Law
5 Riverchase Ridge, Suite 100
Birmingham, Alabama 35244

SEND TAX NOTICE TO:

FONDA R. JOHNSON
1235 BERWICK ROAD
BIRMINGHAM, AL 35242

STATE OF ALABAMA)

COUNTY OF SHELBY)

WARRANTY DEED

Know All Men by These Presents: That in consideration of ONE HUNDRED NINETY NINE THOUSAND SEVEN HUNDRED FIFTY DOLLARS and 00/100 ($199,750.00) to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is acknowledged, we, GENEVA D. BOYD and TED STANLEY BOYD, WIFE AND HUSBAND, (herein referred to as GRANTORS) do grant, bargain, sell and convey unto FONDA R. JOHNSON, (herein referred to as GRANTEES, whether one or more) the following described real estate, situated in SHELBY County, Alabama, to-wit:

Lot 113, according to the Survey of Greystone Ridge Garden Homes, as recorded in Map Book 16, Page 31, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

SUBJECT TO:

1. TAXES FOR THE YEAR BEGINNING OCTOBER 1, 2004 WHICH CONSTITUTES A LIEN BUT ARE NOT DUE AND PAYABLE UNTIL OCTOBER 1, 2005.

2. TRANSMISSION LINE PERMIT(S) TO ALABAMA POWER COMPANY AS SHOWN BY INSTRUMENT(S) RECORDED IN DEED BOOK 141, PAGE 180; REAL VOLUME 333, PAGE 201 AND REAL VOLUME 377, PAGE 441.

3. TITLE TO ALL MINERALS WITHIN AND UNDERLYING THE PREMISES, TOGETHER WITH ALL MINING RIGHTS AND OTHER RIGHTS, PRIVILEGES AND IMMUNITIES RELATING THERETO, TOGETHER WITH ANY RELEASE OF LIABILITY FOR INJURY OR DAMAGE TO PERSONS OR PROPERTY AS A RESULT OF THE EXERCISE OF SUCH RIGHTS AS RECORDED IN DEED BOOK 4, PAGE 486, 493 AND 495.

4. RIGHTS OF OTHERS TO USE OF HUGH DANIEL DRIVE AS RECORDED IN INSTRUMENT RECORDED IN DEED BOOK 301, PAGE 799.

5. COVENANT AND AGREEMENT FOR WATER SERVICES AS SET OUT IN

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INSTRUMENT BETWEEN DANTRACT AND SHELBY COUNTY, AS SET OUT IN REAL VOLUME 235, PAGE 574.

6. RESTRICTIONS, COVENANTS, CONDITIONS AND BUILDING SETBACK LINES AS SET OUT IN AMENDED RESTATED RESTRICTIVE COVENANTS RECORDED IN REAL VOLUME 265, PAGE 96.

7. GREYSTONE MULTI-FAMILY DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS, AS RECORDED IN REAL VOLUME 316, PAGE 239, AS AMENDED BY FIRST AMENDMENT RECORDED IN REAL VOLUME 319, PAGE 238, SECOND AMENDMENT AS RECORDED IN REAL VOLUME 336, PAGE 281; AND THIRD AMENDMENT BEING RECORDED IN REAL VOLUME 397, PAGE 958, AND BY INSTRUMENT NO. 1992-4710 AND FOURTH AMENDMENT RECORDED UNDER INSTRUMENT NO. 1993-10164; AND FIFTH AMENDMENT AS RECORDED IN INSTRUMENT NO. 1995-14647 AND FURTHER MEMORIALIZED IN THE PARTIAL ASSIGNMENT OF DEVELOPER'S RIGHTS TO GREYSTONE GOLF CLUB, INC. AS RECORDED IN INSTRUMENT NO. 2001-38398.

8. GREYSTONE RIDGE GARDEN HOMES AND FIRST ADDITION TO GREYSTONE RIDGE GARDEN HOMES DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS AS RECORDED IN INSTRUMENT NO. 1992-4720 AND AMENDED IN INSTRUMENT NO. 1995-14646.

9. RECIPROCAL EASEMENT AGREEMENT PERTAINING TO ACCESS AND ROADWAY EASEMENTS, AS SET OUT IN REAL VOLUME 312, PAGE 274, AS AMENDED IN REAL VOLUME 317, PAGE 253 AND FURTHER AMENDED IN INSTRUMENT NO. 1993-3124.

10. AGREEMENT BETWEEN DANIEL OAK MOUNTAIN LIMITED PARTNERSHIP AND SHELBY CABLE, INC. RECORDED IN REAL VOLUME 350, PAGE 545.

11. EASEMENT(S) TO ALABAMA POWER COMPANY BY INSTRUMENT(S) RECORDED IN INST. NO. 1992-26820.

12. PUBLIC UTILITY EASEMENTS AS SHOWN BY RECORDED PLAT.

$159,800.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

$39,950.00 of the consideration herein was derived from a second mortgage closed simultaneously herewith.

TO HAVE AND TO HOLD Unto the said GRANTEES, his, her or their heirs and assigns, forever.

And I (we) do for myself (ourselves) and for my (our) heirs, executors, and administrators covenant with the said GRANTEES, his, her, or their heirs and assigns, that I am (we are) lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that I (we) have a good right to sell and convey the same as aforesaid; that I (we) will and my (our) heirs, executors and administrators shall warrant and defend the same to the said GRANTEES, his, her, or their heirs and assigns forever, against the lawful claims of all persons.

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IN WITNESS WHEREOF, the said GRANTORS, GENEVA D. BOYD and TED STANLEY BOYD, have hereunto set his, her or their signature(s) and seal(s), this the 25th day of August, 2005.

GENEVA D. BOYD

TED STANLEY BOYD

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that GENEVA D. BOYD and TED STANLEY BOYD, whose name(s) is (are) signed to the foregoing conveyance, and who is (are) known to me, acknowledged before me on this day that, being informed of the contents of the conveyance he, she, or they executed the same voluntarily on the day the same bears date.

Given under my hand this the 25th day of August, 2005.

Notary Public

My commission expires: 7/14/06

ROBERT S. PADEN
NOTARY
PUBLIC
ALABAMA STATE AT LARGE