The Space Above This Line Reserved For Register of Deeds

This instrument was prepared by John Bahakel, Attorney 2131 - 12th Avenue North Birmingham, AL 35234-2797

Send Tax Notice To:
Donald P. & Gwen R. Brobst
1230 Greystone Crest
Hoover, AL 35242

WARRANTY DEED, JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

STATE OF ALABAMA
COUNTY OF SHELBY

KNOW ALL MEN BY THESE PRESENTS,

That in consideration of One Million Three Hundred Fifty Thousand Dollars (\$1,350,000.00) and other good and valuable consideration to the undersigned Grantor in hand paid by the Grantees herein, the receipt whereof is acknowledged, We, **Gary W. Thomas**, and spouse, **Patricia A. Thomas**, (herein referred to as Grantors) do, grant, bargain, sell and convey unto **Donald P. Brobst** and spouse, **Gwen R. Brobst** (herein referred to as Grantees) as joint tenants with right of survivorship for and during their joint lives and upon the death of one of them, then to the survivor in fee simple, together with every contingent remainder and right of reversion, the following described real estate situated in Shelby County, Alabama, to-wit:

Lot 21, according to the Survey of The Crest at Greystone - First Addition, as recorded in Map Book 19, Page 52, in the Probate Office of Shelby County, Alabama.

Subject to:

- 1) Taxes and assessments for the year 2006 and subsequent years, which are not yet due and payable.
- 2) Building line(s) shown by recorded map.
- 3) Easement(s) shown by recorded map.
- 4) NOTE: Map Book 19, page 52 show the following reservation: Sink Hole Prone Areas-The Subdivision shown herein including lots and streets, lies in an area where natural lime sinks may occur. Shelby County, the Shelby County Engineer, the Shelby County Planning Commissioner and the individual members thereof and all other agents, servants or employees of Shelby County, Alabama, make no representations that the subdivision lots and street are safe or suitable for residential construction, or for any other purpose whatsoever. "Area

underlain by limestone and thus may be subject to lime sink activity".

- 5) Mineral and mining rights and rights incident thereto incident thereto recorded in Volume 60, page 260 and Volume 121, page 294, in the Probate Office of Shelby County, Alabama.
- 6) Underground transmission granted to Alabama Power Company by instrument recorded in Volume 305, page 637, in the Probate Office of Shelby County, Alabama.
- 7) Restrictions or Covenants recorded in Real 265, page 96 and instrument 1995-941; 3rd Amendment recorded in instrument 1995-32703; 4th Amendment recorded in instrument 2001-38397; 5th Amendment recorded in instrument 200305100000608050 and 6th Amendment recorded in instrument 2004012300039500, in the Probate Office of Shelby County, Alabama.
- 8) Agreement between Daniel Oak Mountain, Ltd. and Shelby Cable recorded in Real 350, page 545, in the Probate Office of Shelby County, Alabama.
- 9) Right of way and Easement to Water Works and Sewer Board, recorded in instrument 1994-26400, in the Probate Office of Shelby County, Alabama.
- 10) Rights of others to use Hugh Daniel Drive as recorded in Volume 301, page 799, in the Probate Office of Shelby County, Alabama.
- 11) Building setback as set forth in the Declaration recorded in instrument 1992-22103, 1st Amendment recorded in instrument 1994-3752 and 2nd Amendment to be recorded in the Probate Office of Shelby County, Alabama, also as shown by instrument 1995-00941.
- 12) Release of Damages as recorded in instrument 1992-22103, 1st Amendment recorded in instrument 1994-3752 and 2nd Amendment to recorded in instrument 1995-00941 in the Probate Office of Shelby County, Alabama.

13) The Crest at Greystone Declaration of Covenants, Conditions, and Restrictions or Covenants recorded in instrument 1992-22103, 1st Amendment by instrument 1994-03752, 2nd Amendment to be recorded in the Probate Office of Shelby County, Alabama.

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To have and to hold, to the said Grantees as joint tenants, with right of survivorship, their heirs and assigns, forever, it being the intention of the parties to this conveyance, that (unless the joint tenancy hereby created is severed or terminated during the joint lives of the Grantees herein) in the event one Grantee herein survives the other, the entire interest in fee simple shall pass to the surviving Grantee(s).

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

In witness whereof, we have hereunto set our hands and seals this 31^{-2} day of 2006.

- Comment of the Aseat)

Patricia A. Thomas

State of Alabama Shelby County

General Acknowledgment

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Gary W. Thomas and Patricia A. Thomas, whose names are signed to the foregoing conveyance, and who are known to me or who proved to me on the basis of satisfactory evidence to be the persons whose name is subscribed to the within instrument, acknowledged before me on this day, that, being informed of the contents of the conveyance, they, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this the 31" day of JANKARY 2006.

Notary Public

My Commission Expires: 9-18-08

Shelby County, AL 02/01/2006 State of Alabama

Deed Tax: \$140.00