STATUTORY WARRANTY DEED

This instrument was prepared by

(Name) Larry L. Halcomb, Attorney

(Address) 3512 Old Montgomery Highway
Birmingham, Alabama 35209

Send Tax Notice To: Mike McDavid
name
5621 Crossings View
address
Birmingham, AL 35242

CORPORATION FORM WARRANTY DEED, JOINTLY FOR LIFE WITH REMAINDER TO SURVIVOR

STATE OF ALABAMA
COUNTY OF **SHELBY**

KNOW ALL MEN BY THESE PRESENTS,

That in consideration of **THREE HUNDRED EIGHTY EIGHT THOUSAND FOUR HUNDRED FIFTEEN AND No/100 DOLLARS ($388,415.00)**

to the undersigned grantor, **Harbar Construction Company, Inc.**

a corporation,

(herein referred to as GRANTOR), in hand paid by the GRANTEES herein, the receipt of which is hereby acknowledged, the said GRANTOR does by these presents, grant, bargain, sell and convey unto

Mike McDavid and Mikelyn McDavid

(herein referred to as GRANTEES) for and during their joint lives and upon the death of either of them, then to the survivor of them 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 487, according to the Map and Survey of Caldwell Crossings, Sector 4, Phase 2, (Sanctuary), as recorded in Map Book 36, Page 149, in the Office of the Judge of Probate of Shelby County, Alabama.

Minerals and mining rights, together with release of damages, excepted.

Subject to taxes for 2007.

Subject to conditions on attached Exhibit "A".

Subject to items on attached Exhibit "B".

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$ 101,000.00 of the purchase price was paid from the proceeds of a mortgage loan closed simultaneously herewith.

Shelby County, AL 12/14/2006
State of Alabama

Deed Tax:$287.50

TO HAVE AND TO HOLD, To the said GRANTEES for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, and to the heirs and assigns of such survivor forever, together with every contingent remainder and right of reversion.

IN WITNESS WHEREOF, the said GRANTOR, by its **President, Denney Barrow,** who is authorized to execute this conveyance, has hereto set its signature and seal, this the **8th** day of **December** 19 **2006**

ATTEST:

_____

Harbar Construction Company, Inc.

By _____
Denney Barrow, President

STATE OF **ALABAMA**
COUNTY OF **JEFFERSON**

I, **Larry L. Halcomb,** a Notary Public in and for said County in said State, hereby certify that **Denney Barrow** whose name as **President** of **Harbar Construction Company, Inc.** a corporation, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation,

Given under my hand and official seal, this the **8th** day of **December** 19 **2006.**

_____
Larry L. Halcomb Notary Public

My Commission Expires January 23, 2010

EXHIBIT "A"

This conveyance is made with the express reservation and condition that Grantees, for themselves and on behalf of their heirs, administrators, executors, successors, assigns, contractors, permitees, licensees and lessees, hereby release and forever discharge Grantor from any and all liability, claims and causes of action, whether arising at law (by contract or in tort) or in equity with respect to damage or destruction of property and injury to or death of any person located in, on, or under the surface of or over the property herein conveyed, as the case may be, which are caused by, or arise as a result of, past, present, or future soil, subsoil, or other conditions (including, without limitation, sinkholes, underground mines, subsurface waters, and limestone formations) under or on the subject property, whether contiguous or non-contiguous. Grantees acknowledge that they have made their own independent inspections and investigations of the subject property and are purchasing the subject property in reliance upon such inspections and investigations. For purposes of this paragraph, Grantor shall mean and refer to the members, managers, agents, employees, successors, assigns, members, owners, managers, partners, officers and contractors of Grantor and any successors and assigns of Grantor.

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EXHIBIT "B"

Variable easement located along the rear lot line as shown on the recorded map of said subdivision.

Right of Way to Alabama Power Company recorded in Book 220, Page 67 and Book 217, Page 750.

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 Misc. Volume 27, Instrument #20060426000194980 and Instrument #20050322000127490.

.Easement as shown in Instrument #1993-31528 and in Instrument #1993-31529.

.Covenants, conditions, releases, limitation of actions, and other matters in that certain Statutory Warranty Deed recorded in Instrument #1997-23467.

.Easement, mineral and mining rights as shown in Real Volume 3192 Page 293 and Real Volume 319, Page 293.

.Less and except any part of the property lying within a road right of way.

.Any riparian rights with respect to Moon Glow Lake bordering property.

.Easement to the City of Hoover as shown in Instrument #200025987.

.Easement to Alabama Power Company recorded in Instrument #20040204000057770, Instrument #20050803000391990, Instrument #20050803000391980, Instrument #20060201000052420, Book 220, Page 57 and Book 217, Page 750.

.Power lines, drainage and other matters as shown on survey of Paragon Engineering, Inc., dated 05/07/97 and on survey of Laurence D. Weygand dated 01/22/05.

Memorandum of Lease to Foresite, LLC, as shown in Instrument #20021217000632730.

Amendment to Restrictive Covenants (Sanctuary) as recorded in Instrument #20060516000230000.

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