

This instrument prepared by:
Jeff G. Underwood, Attorney
Sirote & Permutt P.C.
2311 Highland Avenue South
Birmingham, Alabama 35205

Send Tax Notice to:
Erich Walchek
Dana Walchek
8121 CASTLEHILL ROAD E.
BIRMINGHAM, AL 35242

SPECIAL WARRANTY DEED

STATE OF ALABAMA

KNOW ALL MEN BY THESE PRESENTS,

SHELBY COUNTY

That in consideration of Four Hundred and two thousand five hundred and 00/100 Dollars (\$402,500.00) to the undersigned Grantor, Flagstar Bank, FSB, a corporation, (herein referred to as Grantor) in hand paid by the Grantees herein, the receipt whereof is acknowledged, the said Grantor does by these presents, grant, bargain, sell and convey unto Erich Walchek, and Dana Walchek, (herein referred to as Grantees), the following described real estate situated in Shelby County, Alabama, to-wit:

Lot 48, according to the Map and Survey of Greystone, 7th Sector, Phase I, as recorded in Map Book 18, Page 120 A, B & C, in the Probate Office of Shelby County, Alabama.

Subject to:

1. Any item disclosed on that certain policy of title insurance obtained in connection with this transaction.
2. Ad valorem Taxes for the current tax year, which Grantees herein assume and agree to pay.
3. Easement/right-of-way to Alabama Power Company as recorded in Instrument No. 1997-15378.
4. Building setback line pursuant to the terms of the Declaration of Covenants, Conditions and Restrictions, recorded in Real 317, Page 260, and as amended from time to time, and as shown by Map Book 18, Page 120 A, B, & C.
5. Easements as shown by recorded plat.
6. Restrictions, covenants and conditions and building setback lines as set out in Amended and Restated Restrictive Covenants recorded in Real 265, Page 96, in said Probate Office.
7. Agreement between Daniel Oak Mountain Limited Partnership and Shelby Cable, Inc. recorded in Real 350, Page 545, in said Probate Office.
8. Reciprocal Easement Agreement pertaining to access and roadway easements as set out in Real 312, Page 274; and 1" amended by Real 317, Page 253, and 2nd amended in Inst. No. 1993-3124, in said Probate Office.
9. All outstanding rights of redemption in favor of all persons entitled to redeem the property from that certain mortgage foreclosure sale evidenced by mortgage foreclosure deed recorded in Instrument No. 20060202000053840, in the Probate Office of Shelby County, Alabama.

\$ ** of the above consideration was paid from the proceeds of a mortgage loan closed simultaneously herewith.

This property is sold as is and grantor only warrants title from the time grantor obtained title until the date grantor conveys its interest in the aforesaid property to the grantee.

TO HAVE AND TO HOLD Unto the said Grantees, their heirs and assigns, forever.

**** \$322000 OF THE ABOVE RECITED CONSIDERATION WAS PAID FROM THE PROCEEDS OF A PURCHASE MONEY 1ST MORTGAGE LOAN RECORDED SIMULTANEOUSLY HEREWITH.
\$60375 OF THE ABOVE RECITED CONSIDERATION WAS PAID FROM THE PROCEEDS OF A PURCHASE MONEY 2ND MORTGAGE LOAN RECORDED SIMULTANEOUSLY HEREWITH.**

IN WITNESS WHEREOF, the said Grantor, has hereto set its signature and seal, this the _____ day of June, 2007.

Flagstar Bank/FSB


by,
Its

JOAN ANDERSON
EXECUTIVE VICE PRESIDENT

STATE OF Michigan
COUNTY OF Oakland

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Joan Anderson, whose name as Exec Vice Pres of Flagstar Bank, FSB, 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/she, 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 27 day of June, 2007.


NOTARY PUBLIC
My Commission expires:
AFFIX SEAL

2007-000558

JUDITH A. LEVELL
NOTARY PUBLIC, STATE OF MI
COUNTY OF MACOMB
MY COMMISSION EXPIRES JUL 6, 2011
ACTING IN COUNTY OF OAKLAND

Shelby County, AL 08/02/2007
State of Alabama

Deed Tax: \$20.50