

Value \$ 350,000.00

**DEED, STATUTORY WARRANTY**

THIS DEED PREPARED WITHOUT THE  
BENEFIT OF A TITLE SEARCH.  
NO CERTIFICATION AS TO TITLE.

STATE OF ALABAMA )

KNOW ALL MEN BY THESE PRESENTS

JEFFERSON COUNTY )

That for and in consideration of TEN AND NO/100 DOLLARS (\$10.00) to the undersigned grantor(s), ROGER D. BARKER AND MARION K. BARKER, formerly husband and wife, in hand paid by the grantee, ROGER D. BARKER, individually, the receipt whereof is acknowledged the said grantor(s) do grant, bargain, sell and convey unto the said grantee, ROGER D. BARKER, the following described real estate, situated in SHELBY County, Alabama, to-wit:

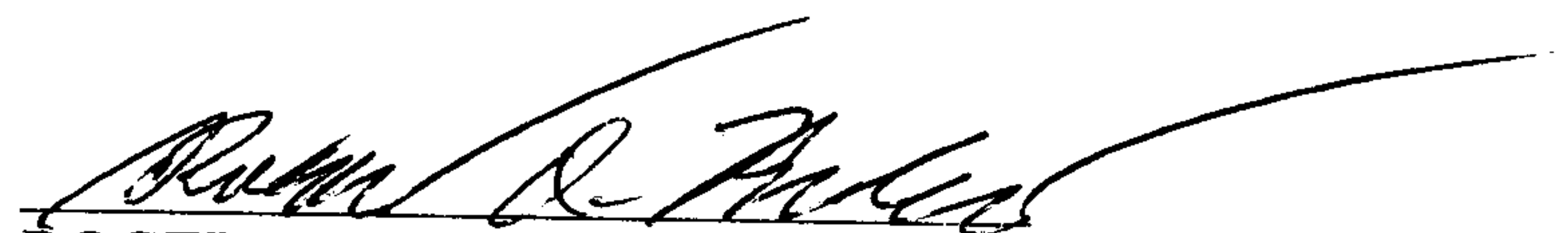
Lot 2124, according to the Survey of Brook Highland, an Eddleman Community, 21 Sector, as recorded in Map Book 18, Page 52 A & B, in the Probate Office of Shelby County, Alabama. Minerals and mining rights excepted.

Certain easements, restrictions and right-of-ways of record pertaining to said property are described on Exhibit "A" attached hereto and made a part hereof for all purposes.


THIS CONVEYANCE COMPLIES WITH THE TERMS OF THE AGREEMENT OF THE PARTIES REGARDING A DISSOLUTION OF MARRIAGE IN JEFFERSON COUNTY CIRCUIT COURT BEARING CASE NUMBER DR07 1306 JGP.

To have and to hold the said above described property unto the said party of the second part, together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining and unto his heirs and assigns forever.

In Witness Whereof, we have hereunto set our hands and seal this 2<sup>nd</sup> day of November, 20 07.

  
ROGER D. BARKER

  
MARION K. BARKER

  
20080204000044640 1/3 \$367.00  
Shelby Cnty Judge of Probate, AL  
02/04/2008 02:16:49PM FILED/CERT

Shelby County, AL 02/04/2008  
State of Alabama

Deed Tax: \$350.00

STATE OF ALABAMA )  
JEFFERSON COUNTY )

I, the undersigned, a notary public in and for said County, in said State, hereby certify that ROGER D. BARKER, a single man, whose name 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 this conveyance, he executed the same voluntarily on the day the same bears date.

Given under my hand and seal, this 2nd day of November, 2007.

Ruth O. Harper  
Notary Public

My Commission Expires: 3-5-11

STATE OF ALABAMA )  
JEFFERSON COUNTY )

I, the undersigned, a notary public in and for said County, in said State, hereby certify that MARION K. BARKER, a single woman, whose name 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 this conveyance, she executed the same voluntarily on the day the same bears date.

Given under my hand and seal, this 14th day of November, 2007.

Barbara J. Arnold  
Notary Public

My Commission Expires: 12/10/08

THIS DEED PREPARED BY:

STEPHEN R. ARNOLD  
Attorney at Law  
600 Massey Building  
2025 3<sup>rd</sup> Avenue North  
Birmingham, Alabama 35203


  
20080204000044640 2/3 \$367.00  
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EXHIBIT "A"

Building setback line of 35 feet reserved from Ashington Drive and 50 feet reserved from centerline of swale, as shown by plat.

Easements as shown by recorded plat, including 10 feet on the Northeasterly side, and an irregular running through rear and through building setback line.

Declaration of Protective Covenants for the "Watershed Property", which provides, among other things, for an Association to be formed to assess and maintain the Watershed Maintenance Areas, etc. of the development; all of said covenants, restrictions and conditions being set out in instrument recorded in Real 194 page 54 in Probate Office.

Declaration of Protective Covenants, Agreements, Easements, Charges and Liens for Brook highland, as set out in instrument recorded in Real 194 page 254 in Probate Office, along with Articles of Incorporation as recorded in Real 194 page 281 and By-Laws recorded in Real 194 page 287-A in Probate Office. Along with Supplemental Protective Covenants as set out in Real 263 page 604; Real 353 page 969 and as shown by Map Book 15 page 50 A & B in said Probate Office.

A Non-Exclusive easement and agreement between Eddleman and Associates and The Water Works and Sewer Board of the City of Birmingham dated July 11, 1988, and recorded in Real 194 page 20 and Real 194 page 43 in Probate Office.

Easement and Agreements between AmSouth Bank, N. A., as Ancillary Trustee for NCNB National Bank of North Carolina, as Trustee for the Public Employees Retirement System of Ohio and The Water Works and Sewer Board of the City of Birmingham, as set out in instrument recorded in Real 194 page 1 and Real 194 page 40 in probate Office.

Drainage Agreement between AmSouth Bank, N.A., as Ancillary Trustee for NCNB National Bank of North Carolina, as Trustee of the Public Employees Retirement System of Ohio and Eddleman and Associates as set out in Real 125 page 238 dated April 14, 1987 in Probate Office.

Reciprocal Easement Agreement between AmSouth Bank, N.A., as Ancillary Trustee for NCNB National Bank of North Carolina as Trustee for the Public Employees Retirement System of Ohio and Eddleman and Associates, as set out in instrument dated April 14, 1987 and recorded in Real 125 page 249 and Real 199 page 18 in Probate Office

Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto, including rights set out in Deed Book 32 page 48 and Deed Book 127 page 140 in Probate Office.

Restrictive covenants with regard to underground transmission installation by Alabama Power Company as recorded in Real 181 page 995 in Probate Office.

Covenant releasing predecessor in title from any liability arising from sinkholes, limestone formations, soil conditions or any other known or unknown surface or subsurface conditions that may now or hereafter exist or occur or cause damage to subject property, as shown by instrument recorded in Map Book 15 page 50 A & B; Real 365 pages 600 and 603 and Real 370 page 658 in Probate Office; the policy will insure that any violation of this covenant will not result in a forfeiture or reversion of title.

Easement(s) to Birmingham Water Works and Sewer Board as shown by instrument recorded in Real 252 page 210 in Probate Office.

Easement(s) to Alabama Power Company as shown by instrument recorded in Real 377 page 433 in Probate Office.

Agreement with Alabama Power Company as to underground cables and covenants pertaining thereto as recorded in Real 364 page 399 in Probate Office.

Subdivision restrictions shown on recorded plat in Map Book 15 page 50 A & B to provide for construction on single family residences only.

Release of damages, restrictions, modifications, covenants, conditions, rights, privileges, immunities, and limitations, as applicable, as set out in, and as referenced in deed(s) recorded in Real 394 page 871 in the Probate Office.

Inst # 1997-11998

04/18/1997-11998  
08:19 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 MCD 363.50

20080204000044640 3/3 \$367.00  
Shelby Cnty Judge of Probate, AL  
02/04/2008 02:16:49PM FILED/CERT