

Send tax notice to:

PAUL D. GUNNOE  
4506 HIGH COURT CIRCLE  
BIRMINGHAM, AL, 35242

STATE OF ALABAMA  
Shelby COUNTY

This instrument prepared by:  
CHARLES D. STEWART, JR.  
Executive Real Estate Group, LLC  
4898 Valleydale Road, Suite A-2  
Birmingham, Alabama 35242

2008804

**WARRANTY DEED**

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of Two Million Two Hundred Fifty-Five Thousand and 00/100 Dollars (\$2,255,000.00) in hand paid to the undersigned, GARY W. THOMAS and PATRICIA A. THOMAS, Husband and Wife (hereinafter referred to as "Grantors") by PAUL D. GUNNOE and MARTHA S. GUNNOE, Husband and Wife (hereinafter referred to as Grantees"), the receipt and sufficiency of which are hereby acknowledged, Grantors do, by these presents, grant, bargain, sell, and convey unto Grantees, as joint tenants with right of survivorship, the following described real estate situated in Shelby County, Alabama, to-wit:

LOT 16, ACCORDING TO THE SURVEY OF GREYSTONE, 4TH SECTOR, PHASE II, AS RECORDED IN MAP BOOK 22, PAGE 27, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

SUBJECT TO:

1. TAXES FOR THE YEAR BEGINNING OCTOBER 1, 2008 WHICH CONSTITUTES A LIEN BUT ARE NOT YET DUE AND PAYABLE UNTIL OCTOBER 1, 2009.
2. TITLE TO ALL OIL, GAS AND MINERALS WITHIN AND UNDERLYING THE PREMISES, TOGETHER WITH ALL OIL 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 60, PAGE 260, DEED BOOK 121, PAGE 294 AND IN DEED BOOK 51, PAGE 544, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
3. UNDERGROUND TRANSMISSION LINE PERMIT GRANTED TO ALABAMA POWER COMPANY AS RECORDED IN DEED BOOK 305, PAGE 637 AND INSTRUMENT #1992-26822.
4. 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 REAL 317, PAGE 260 AMENDED BY AFFIDAVIT IN REAL 319, PAGE 235, 1<sup>ST</sup> AMENDMENT IN REAL 346, PAGE 942, 2<sup>ND</sup> AMENDMENT IN REAL 378, PAGE 904, 3<sup>RD</sup> AMENDMENT IN REAL 397, PAGE 958, 4<sup>TH</sup> AMENDMENT IN INSTRUMENT #1992-17890, 5<sup>TH</sup> AMENDMENT IN INSTRUMENT #1993-3123, 6<sup>TH</sup> AMENDMENT IN INSTRUMENT #1993-10163, 7<sup>TH</sup> AMENDMENT IN INSTRUMENT #1993-16982, 8<sup>TH</sup> AMENDMENT IN INSTRUMENT #1993-20968, 9<sup>TH</sup> AMENDMENT IN INSTRUMENT #1993-32840, 10<sup>TH</sup> AMENDMENT IN INSTRUMENT #1994-23329, 11<sup>TH</sup> AMENDMENT IN INSTRUMENT #1995-8111, 12<sup>TH</sup> AMENDMENT IN INSTRUMENT #1995-24267, 13<sup>TH</sup> AMENDMENT IN INSTRUMENT #1995-34231, 14<sup>TH</sup> AMENDMENT IN INSTRUMENT #1996-19860, 15<sup>TH</sup> AMENDMENT IN INSTRUMENT #1996-37514, 16<sup>TH</sup> AMENDMENT IN INSTRUMENT #1996-39737, 17<sup>TH</sup> AMENDMENT IN INSTRUMENT

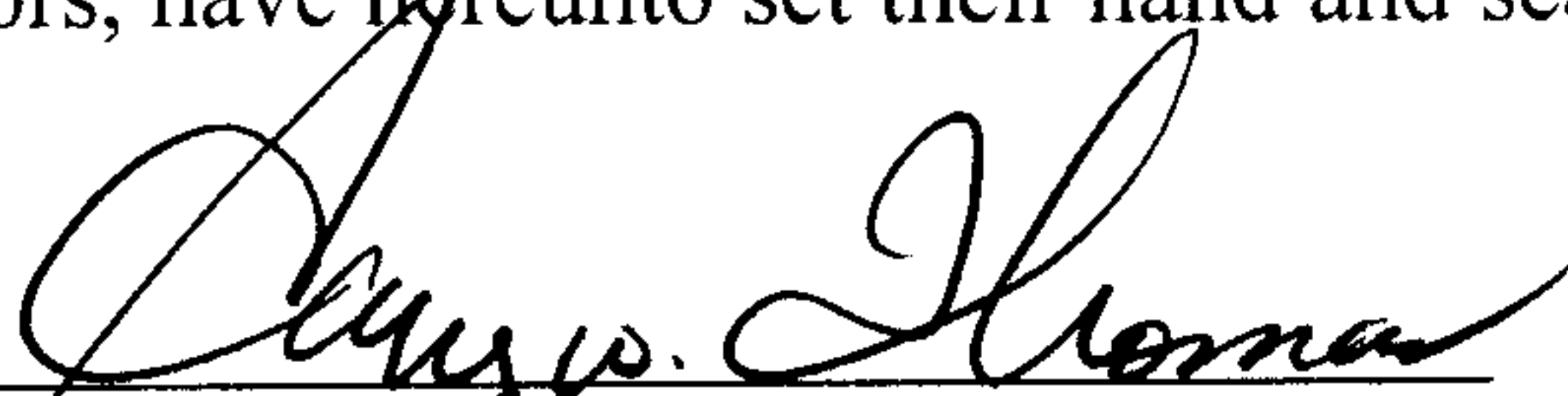


- #1997-2534, 18<sup>TH</sup> AMENDMENT IN INSTRUMENT #1997-17533, 19<sup>TH</sup> AMENDMENT IN INSTRUMENT #1997-30081, 20<sup>TH</sup> AMENDMENT IN INSTRUMENT #1997-38614, 21<sup>ST</sup> AMENDMENT IN INSTRUMENT #1999-3331; 22<sup>ND</sup> AMENDMENT IN INSTRUMENT #1999-6309 AND AS SHOWN BY MAP BOOK 22, PAGE 27.
5. COVENANT AND AGREEMENT FOR WATER SERVICE AS SET OUT IN INSTRUMENT BETWEEN DANTRACT AND SHELBY COUNTY AS SET OUT IN REAL 235, PAGE 574, AND AMENDED BY AGREEMENT AS SET OUT IN INSTRUMENT #1993-20840 AND INSTRUMENT #1992-20786.
  6. AGREEMENT BETWEEN DANIEL OAK MOUNTAIN LIMITED PARTNERSHIP AND SHELBY CABLE, INC, AS RECORDED IN REAL 350, PAGE 545.
  7. 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 22, PAGE 27.
  8. RECIPROCAL EASEMENT AGREEMENT PERTAINING TO ACCESS AND ROADWAY EASEMENTS AS SET OUT IN REAL 312, PAGE 274 AND 1<sup>ST</sup> AMENDED IN REAL 317, PAGE 253 AND 2<sup>ND</sup> AMENDED IN INSTRUMENT #1993-3124.
  9. SUPPLEMENTAL PROTECTIVE COVENANTS BY DANIEL OAK MOUNTAIN LIMITED PARTNERSHIP AND ST. CHARLES AT GREYSTONE, INC. FOR GREYSTONE LAKE I PROPERTY AS RECORDED IN REAL 378, PAGE 948.
  10. RELEASE OF DAMAGES AS SET FORTH IN INSTRUMENT #1997-37830.
  11. ANY PORTION OF SUBJECT PROPERTY LYING WITHIN THE RIGHT OF WAY OF HUGH DANIEL DRIVE.
  12. ANY PORTION OF SUBJECT PROPERTY LYING WITHIN THE RIGHT OF WAY OF PRIVATE ROAD.

\$ -0- OF THE CONSIDERATION AS WAS PAID FROM THE PROCEEDS OF A MORTGAGE LOAN.

TO HAVE AND TO HOLD unto the Grantee, its successors and assigns forever. The Grantor does for itself, its successors and assigns, covenant with the Grantee, its successors and assigns, that it is lawfully seized in fee simple of said premises; that they are free from all encumbrances, except as shown above; that it has a good right to sell and convey the same as aforesaid; and that it will, and its successors and assigns shall, warrant and defend the same to the Grantees, their heirs, executors, administrators and assigns forever against the lawful claims of all persons.

IN WITNESS WHEREOF, said Grantors, have hereunto set their hand and seal  
this the 12th day of December, 2008.

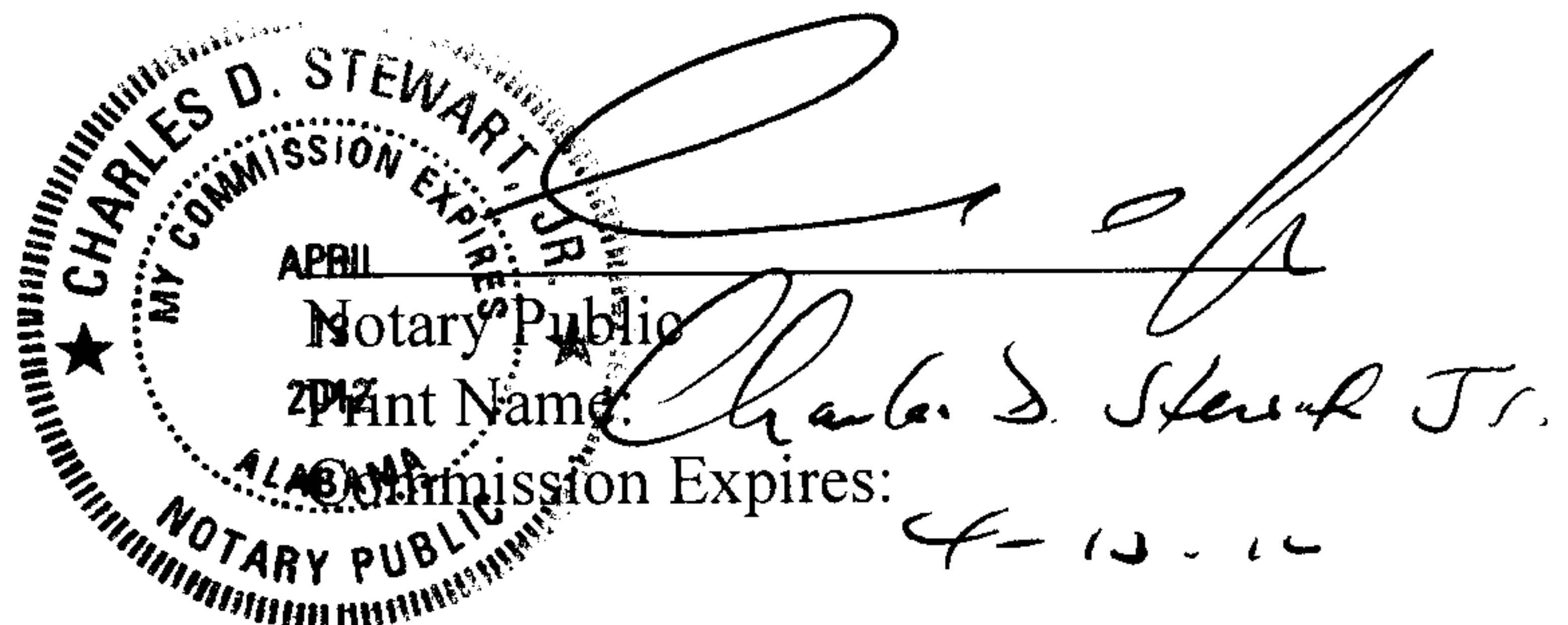
  
GARY W. THOMAS

  
PATRICIA A. THOMAS

STATE OF ALABAMA  
COUNTY OF SHELBY

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 instrument, and who are known to me, acknowledged before me on this  
day, that, being informed of the contents of the said instrument, they executed the same  
voluntarily on the day the same bears date.

Given under my hand and official seal this the 12th day of December, 2008.

  
Notary Public  
Print Name: Charles D. Stewart Jr.  
Commission Expires: 4-12-12