

20090107000003900 1/2 \$15.50
Shelby Cnty Judge of Probate, AL
01/07/2009 08:40:00AM FILED/CERT

Shelby County, AL 01/07/2009
State of Alabama

Deed Tax: \$1.50

(RECORDING INFORMATION ONLY ABOVE THIS LINE)

This instrument was prepared by:

R. Shan Paden
PADEN & PADEN
Five Riverchase Ridge
Birmingham, Alabama 35244

SEND TAX NOTICE TO:

PHILIP T. EARNEST
631 THE HEIGHTS LANE
CALERA, AL 35040

**STATE OF ALABAMA
COUNTY OF SHELBY**

STATUTORY WARRANTY DEED

Know All Men by These Presents: That in consideration of **ONE HUNDRED SEVEN THOUSAND NINE HUNDRED DOLLARS 00/100 (\$107,900.00)** to the undersigned grantor, **TOWNSIDE BUILDING, LLC**, in hand paid by the GRANTEE herein, the receipt of which is hereby acknowledged, the said GRANTOR, does by these presents, grant, bargain, sell and convey unto **PHILIP T. EARNEST**, (herein referred to as GRANTEE, the following described real estate, situated in **SHELBY** County, Alabama, to-wit:

Lot 67, according to the Survey of Townside Square, Sector One, as recorded in Map Book 38, Page 120, in the Probate Office of Shelby County, Alabama; being situated in 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. BUILDING SETBACK LINE OF 35 FEET RESERVED FROM THE HEIGHTS LANE AND 30 FEET FROM SOUTHERLY REAR AS SHOWN BY PLAT.
3. EASEMENTS AS SHOWN BY RECORDED PLAT.
4. RESTRICTIONS, COVENANTS AND CONDITIONS AS SET OUT IN INSTRUMENT(S) RECORDED IN INST. NO. 20071120000531670.
5. TRANSMISSION LINE PERMIT(S) TO ALABAMA POWER COMPANY AS SHOWN BY INSTRUMENT(S) RECORDED IN DEED BOOK 136, PAGE 330.
6. TITLE TO ALL MINERALS WITHIN AND UNDERLYING THE PREMISES, TOGETHER WITH ALL MINING RIGHTS AND OTHER RIGHTS, PRIVILEGES AND IMMUNITIES RELATING THERETO, INCLUDING THOSE SET OUT IN DEED BOOK 136, PAGE 228.
7. RIGHTS OF OTHERS TO USE OF BRANCHES.
8. RESTRICTIONS, LIMITATIONS, CONDITIONS AND OTHER PROVISIONS AS SET OUT IN MAP BOOK 38, PAGE 120.
9. EASEMENTS AS SHOWN BY RECORDED PLAT, INCLUDING 8 FEET ON THE NORTHERLY SIDE AND 20 FEET FOR DRAINAGE ON THE SOUTHERLY SIDE OF THE LAND.
10. GRANT OF LAND EASEMENT AND RESTRICTIVE COVENANTS TO ALABAMA POWER COMPANY AS SET OUT IN INSTRUMENT(S) AS RECORDED IN INST. NO. 20071108000516310.
11. INCORPORATION OF TOWNSIDE SQUARE HOMEOWNERS ASSOCIATION, INC. ALONG WITH BYLAWS THERETO RECORDED IN INST. NO. 20080205000046410.

\$106,494.00 of the consideration herein was derived from a mortgage closed simultaneously herewith.

TO HAVE AND TO HOLD unto the said GRANTEE, her/his heirs and assigns, forever.

IN WITNESS WHEREOF, the said **R. SHAN PADEN** as **CLOSING AGENT** of **TOWNSIDE BUILDING, LLC**, has hereunto subscribed his/her name on this the 31st day of December, 2008.

TOWNSIDE BUILDING, LLC



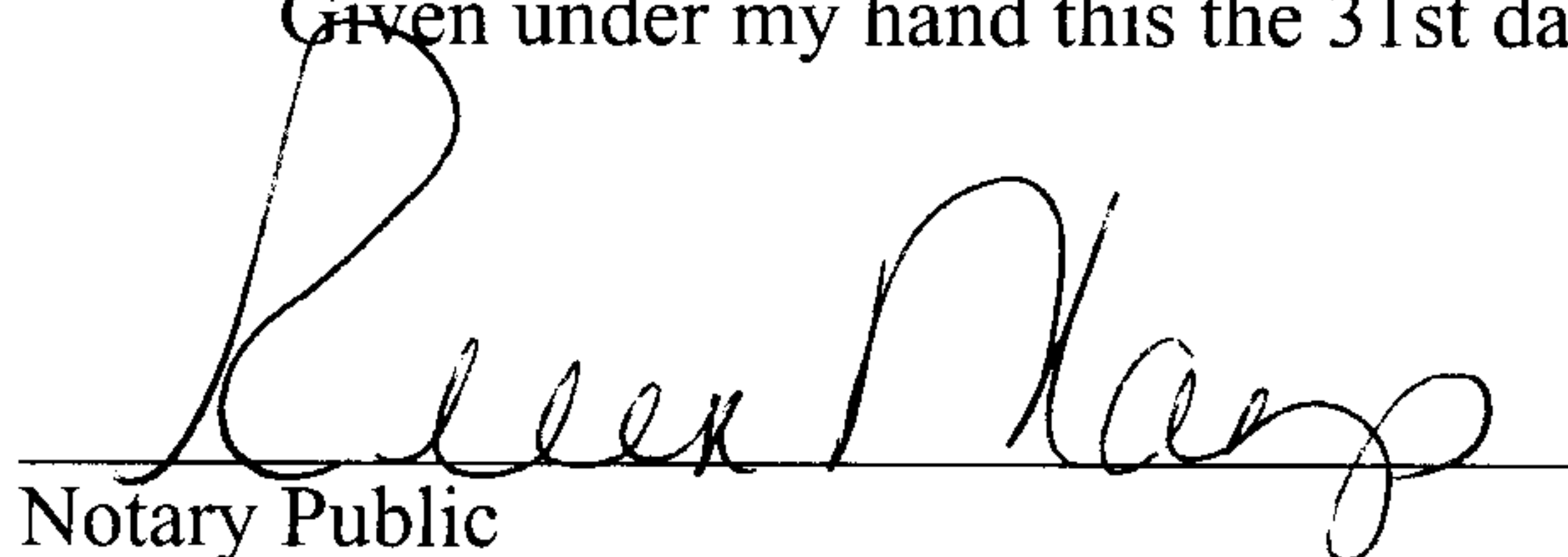
R. SHAN PADEN
CLOSING AGENT

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGEMENT

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that **R. SHAN PADEN**, whose name as **CLOSING AGENT** of **TOWNSIDE BUILDING, LLC**, 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 or she, as such officer and with full authority, executed the same voluntarily for and as the act of said Limited Liability Company.

Given under my hand this the 31st day of December, 2008.


Notary Public

My commission expires: 12/20/12

