

THIS INSTRUMENT WAS PREPARED BY:


Clayton T. Sweeney, Attorney at Law
2700 Highway 280 East, Suite 160
Birmingham, Alabama 35223

SEND TAX NOTICE TO:

Michelle Johnston and Allen Johnston
157 Biltmore Drive
Birmingham, Alabama 35242

STATE OF ALABAMA }
:
COUNTY OF SHELBY }

SPECIAL WARRANTY DEED


20090310000086530 1/2 \$72.00
Shelby Cnty Judge of Probate, AL
03/10/2009 09:56:23AM FILED/CERT

Know all men by these presents, that for and in consideration of Four Hundred Seventy Five Thousand and No/100 Dollars (\$475,000.00) and other good and valuable consideration in hand paid to **Compass Bank**, an Alabama banking corporation (hereinafter referred to as "Grantor") by **Michelle Johnston and Allen Johnston**, (hereinafter referred to as "Grantees") the receipt and sufficiency of which are acknowledged hereby, Grantor does by these presents grant, bargain, sell and convey unto the said Grantees, as joint tenants with right of survivorship, the following described real estate situated in Shelby County, Alabama, (the "Property"), together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining:

Lot 11, according to the Survey of Habersham Place, as recorded in Map Book 37, Page 1A and 1B, in the Probate Office of Shelby County, Alabama.

This conveyance is subject however, to the following:

1. Ad valorem taxes for 2009 and subsequent years not yet due and payable until October 1, 2009.
2. Mineral and mining rights not owned by Grantor.
3. Easements of record, recorded restrictions, rights of way, agreements and other matters of record.
4. Matters that would be revealed by an accurate survey of the Property or that may be shown on any recorded map or plat of the property.
5. Any applicable zoning, subdivision or other land use ordinances, laws or regulations.

\$417,000.00 of the consideration recited above was paid from the proceeds of a mortgage loan closed simultaneously herewith.

"AS IS" and "WHERE IS", with all faults and specifically and expressly without any warranties, representations, or guaranties of any kind, oral or written, express or implied, concerning the Property or this conveyance from or on behalf of Grantor;

To the maximum extent permitted by law, Grantor makes no representations, warranties or guarantees of any kind, oral or written, express or implied concerning the Property, including, without limitation, (i) the profitability, suitability or fitness of the Property for a particular use or purpose, (ii) the manner or quality of the construction or materials incorporated into the improvements, if any, on the Property, (iii) the manner of repair, quality, state of repair, or lack of repair of the Property, and (iv) the availability of utilities and access of the Property to public roads.

Shelby County, AL 03/10/2009
State of Alabama

Deed Tax: \$58.00

CLAYTON T. SWEENEY, ATTORNEY AT LAW

To the maximum extent permitted by law, Grantor makes no representations or warranties with regard to compliance with any environmental protection, pollution, or land use laws, rules, regulations, orders or requirements, including but not limited to, those pertaining to the handling, generating, treating, storing, or disposing of any solid waste, as defined by the U.S. Environmental Protection Agency Regulations at 40 C.F.R. Part 2261, or hazardous substances, as defined by the Comprehensive Environmental Response Compensation and Liability Act of 1990, as amended, and regulations promulgated thereunder.

Grantor is not liable or bound in any manner by any verbal or written statement, representations or information pertaining to the Property furnished by any broker, agent, employee, servant, or other person.

Grantor shall not be liable to the Buyer for any prospective or speculative profits, or special, indirect or consequential damages, whether based upon contract, tort, or negligence or in any other manner arising from the transactions contemplated by this conveyance.

TO HAVE AND TO HOLD to the Grantee and Grantee's heirs, successors and assigns, as joint tenants with right of survivorship, forever.

IN WITNESS WHEREOF, Grantor has caused this Deed to be executed by Grantor's duly authorized representative this 23 day of February, 2009.

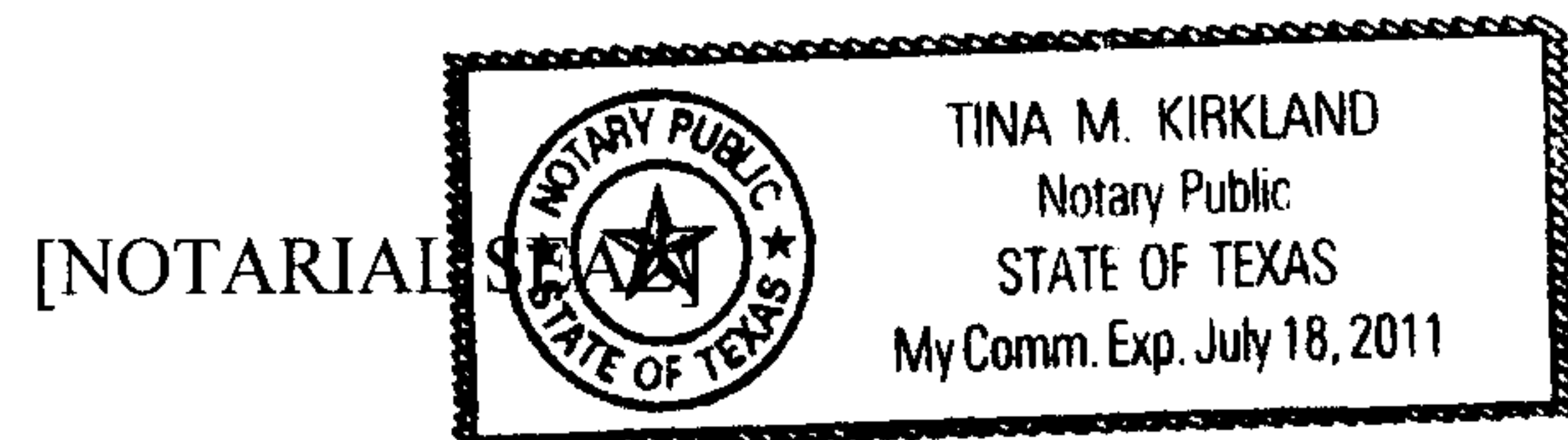
COMPASS BANK
an Alabama banking corporation

By: Carl Scott, V.P.
Carl Scott, Vice President

STATE OF TEXAS }
 :
COUNTY OF HARRIS }

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Carl Scott, whose name as Vice President on behalf of Compass Bank, an Alabama banking corporation, is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he, in his capacity as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and seal of office this the 23 day of February, 2009.



Tina M. Kirkland
Notary Public
My commission expires: 7/18/11

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