20090729000289680 1/3 \$99.50 Shelby Cnty Judge of Probate, AL 07/29/2009 10:05:06 AM FILED/CERT

This instrument prepared by: Jeff G. Underwood, Attorney Sirote & Permutt P.C. 2311 Highland Avenue South Birmingham, Alabama 35205 Send Tax Notice to: Dan A. Koch, Jr.

1004 Highland Village Trl Birmingham, AL 35242

SPECIAL WARRANTY DEED

STATE OF ALABAMA

KNOW ALL MEN BY THESE PRESENTS,

SHELBY COUNTY

That in consideration of four hundred twelve thousand and 00/100 Dollars (\$412,000.00) to the undersigned, The Bank of New York, as Trustee for the Benefit of The Certificate Holders CWALT, Inc., Alternative Loan Trust 2007-22 Mortgage Pass Through Certificates, Series 2007-22, a corporation, by BAC Home Loan Servicing, LP fka Countrywide Home Loans Servicing LP, as Attorney in Fact, (herein referred to as Grantor) in hand paid by the Grantee herein, the receipt whereof is acknowledged, the said Grantor does by these presents, grant, bargain, sell and convey unto Dan A. Koch, Jr., (herein referred to as Grantee), the following described real estate situated in Shelby County, Alabama, to-wit:

Lot 55, according to the 1st Amendment to the Amended Map of The Village at Highland Lakes, Sector One, an Eddleman Community, as recorded in Map Book 37, Page 73 A,B,C,D and E, and re-recorded in Map Book 38, Page 24, A, B, C, D and E, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

Together with nonexclusive easement to use the private roadways, common area all as more particularly described in the Declaration of Easements and Master Protective Covenants for The Village at Highland Lakes, A Residential Subdivision, as recorded in Inst. #20060421000186650 in the Probate Office of Shelby County, Alabama, and the Declaration of Covenants, Conditions, and Restrictions for The Village at Highland Lakes, A Residential Subdivision, Sector One, recorded as Inst. #20060421000186670 in the Probate Office of Shelby County, Alabama, (which together with all amendments thereto, is hereinafter collectively referred to as, the "Declaration").

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 Grantee herein assume and agree to pay.
- 3. Easement(s), building line(s) and restriction(s) as shown on recorded map.
- 4. Declaration of Restrictive Covenants recorded in Inst. No. 2004060400065928.
- 5. Subject to Notice of Final Assessment of Real Property as set out in Inst. No. 2005121300064426.
- 6. Terms, conditions, easements and agreement including right of first refusal as set out in deed recorded in Inst. No. 2006120600059126
- 7. Restrictive covenants and grant of land easements in favor of Alabama Power Company recorded in Inst. No. 2006121200060165.
- 8. Right-of-way granted to Alabama Power Company recorded in Inst. No. 2006063000031489; Inst. No. 2006063000031526 and Inst. No. 2006063000031527.

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State of Alabama
Deed Tax: \$82.50

- 9. Articles of Incorporation of The Village at Highland Lakes Improvement District as set out in Inst. No. 2005120900063784.
- Right-of-way granted to Alabama Power Company recorded in Deed Book 247, Page 905; Deed Book 139, Page 569 and Deed Book 134, Page 411.
- Right-of-way granted to SHELBY County recorded in Deed Book 196, Pages 237, 248 and 254.
- Easement granted to SHELBY County recorded in Inst. No. 1992-15747 and Inst. No. 1992-24264.
- 13. ngress and egress easements as recorded in Real Book 321, Page 812.
- Right of Way for roadway as recorded in Real 103, Page 844 and Map Book 3, Page 148.
- Declaration of Easements and Master Protective Covenants for The Village at Highland Lakes, a Residential Subdivision, which provides, among other things, for an Association to be formed to assess and maintain the private roadways, etc. of the development; all of said covenants, restrictions and conditions being set out in instrument recorded as Instrument #2006421000186650, in said Probate Office of Shelby County, Alabama, along with Articles of Incorporation of Highland Village Residential Association, Inc. as recorded as Instrument #2006031400012830, in the Office of the Judge of Probate of Jefferson County, Alabama.
- Declaration of Covenants, Conditions and Restrictions for Highland Lakes, a Residential Subdivision, Sector One, as recorded as Instrument #20060421000186670. in said Probate Office.
- 17. Subject to covenants, conditions and restrictions as set forth in the document recorded in Instrument #20041202000659280; Instrument#20060224000089280;Instrument#20060421000186650 and Instrument #20060421000186670 and amended in Instrument #20060712000335740, in said Probate Office.
- 18. Subdivision restrictions, limitations and conditions as set out in Map Book 36, Page 95 A-E. Map Book 37, Page 17 A-E, Map Book 37, Page 73 and Map Book 37, Page 139, in said Probate Office.
- 19. Restrictive covenants and grant of land easements in favor of Alabama Power Company as recorded in Inst. No. 20060828000422180 and Inst. No. 20060828000422190.
- Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto, including release of damages, are not insured herein.
- 21. 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. 20090212000048590, in the Probate Office of Shelby County, Alabama.

\$ 329,600.00 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.

20090729000289680 2/3 \$99.50 Shelby Cnty Judge of Probate, AL 07/29/2009 10:05:06 AM FILED/CERT TO HAVE AND TO HOLD Unto the said Grantee, his/her heirs and assigns, forever.

IN WITNESS WHEREOF, the said Grantor, has hereto set its signature and seal, this the 29th day of June, 2009.

The Bank of New York, as Trustee for the Benefit of The Certificate Holders CWALT, Inc., Alternative Loan Trust 2007-22 Mortgage Pass Through Certificates, Series 2007-22

By BAC Home Loan Servicing, LP fka Country wide Home

Loans Servicing LP, as Attorney in Fact

ts Rocio Iniguez, Asst. Secretary

STATE OF Texas

COUNTY OF Collin

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Rocio Iniguez, whose name as Asst. Secretary of BAC Home Loan Servicing, LP fka Countrywide Home Loans Servicing LP, as Attorney in Fact for The Bank of New York, as Trustee for the Benefit of The Certificate Holders CWALT, Inc., Alternative Loan Trust 2007-22 Mortgage Pass Through Certificates, Series 2007-22, 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, acting in its capacity as Attorney in Fact as aforesaid.

Given under my hand and official seal, this the 29th day of June, 2009.

NOTARY PUBLIC

My Commission expires:

AFFIX SEAL

2009-000685

LES GEURIN

My Commission Expires

February 14, 2011

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