

**THIS INSTRUMENT PREPARED BY:**

Richard W. Theibert, Attorney  
Najjar Denaburg, P.C.  
2125 Morris Avenue  
Birmingham, Alabama 35203



20090930000371610 1/2 \$69.50  
Shelby Cnty Judge of Probate, AL  
09/30/2009 01:03:20 PM FILED/CERT

Send Tax Notice to:  
Donovan Builders, LLC  
3584 Hwy. 31 South, PMB #178  
Pelham, AL 35124

STATE OF ALABAMA )  
 )  
SHELBY COUNTY )

**STATUTORY WARRANTY DEED**

**KNOW ALL MEN BY THESE PRESENTS,** That in consideration of Fifty-Five Thousand Five Hundred and No/100, (\$55,500.00) Dollars, in hand paid by the grantees herein, the receipt whereof is acknowledged, SouthPoint Bank, a banking corporation, (herein referred to as "GRANTOR"), does grant, bargain, sell and convey unto Donovan Builders, LLC, (herein referred to as "GRANTEE"), the following described real estate situated in Shelby County, Alabama, to-wit:

Lots 9, 10 and 25, according to the Survey of Willow Oaks, as recorded in Map Book 38, Page 137A, 137B & 137C, in the Probate Office of Shelby County, Alabama.

**SUBJECT TO:**

1. Ad valorem taxes for the year, 2009, not yet due and payable.
2. Building line(s) as shown by recorded map.
3. Easement(s) as shown by recorded map.
4. Restrictions as shown by recorded map.
5. No further subdivision of lots as restricted by recorded map.
6. NOTE: Map Book 38, Page 137A, 137B and 137C shows the following reservation: Sink Hole Prone Areas - The Subdivision shown herein including lots and streets, lies in an area where natural lime sinks may occur, Shelby County, the Shelby County Engineer, the Shelby County, Planning Commissioner and the individual members thereof and all other agents, servants or employees of Shelby County, Alabama, make no representations that the subdivision lots and street are safe or suitable for residential construction, or for any other purpose whatsoever. "Area underlain by limestone and thus may be subject to lime sink activity".
7. Declaration of Protective Covenants as recorded in Instrument 20070725000346410 and addendum to said declaration recorded in Instrument 20071023000490210, in the Probate Office of Shelby County, Alabama.
8. Grant of Land Easement and Restrictive Covenants recording Alabama Power Company recorded in Instrument 20071109000517700, in the Probate Office of Shelby County, Alabama.
9. Right of way granted to Alabama Power Company by instrument recorded in Volume 103, Page 182 in the Probate Office of Shelby County, Alabama.
10. Right of way to Shelby County, recorded in Volume 147, Page 571, in the Probate Office of Shelby County, Alabama.
11. Easement to BellSouth, as recorded in Instrument 20071218000568300, in the Probate Office of Shelby county, Alabama.

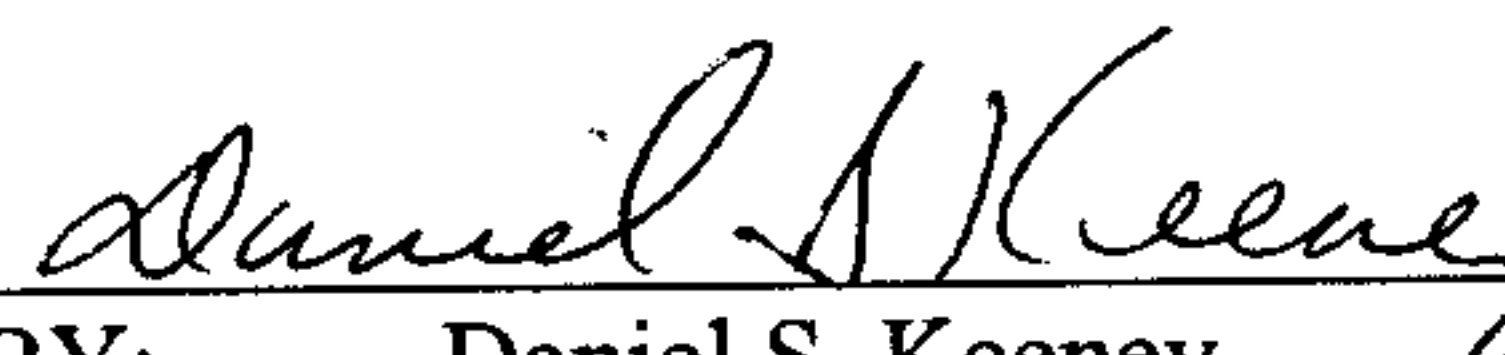
ALL of the purchase price recited above was paid from the proceeds of purchase money mortgages executed simultaneously with delivery of this deed.

TO HAVE AND TO HOLD to the said GRANTEE, its successors and assigns forever.

GRANTOR makes no warranty or covenant respecting the nature of the quality of the title to the property hereby conveyed other than that the GRANTOR has neither permitted or suffered any lien, encumbrance or adverse claim to the property described herein since the date of acquisition thereof by the GRANTOR.

IN WITNESS WHEREOF, SouthPoint Bank, a banking corporation, by Daniel S. Keeney whose name as Senior Vice President, has hereto set his signature and seal, this 25th day of September, 2009.


SouthPoint Bank

 (SEAL)  
BY: Daniel S. Keeney  
ITS: Senior Vice President


STATE OF ALABAMA            )  
  )     CORPORATE ACKNOWLEDGMENT  
JEFFERSON COUNTY         )

I, the undersigned, a Notary Public, in and for said County and State hereby certify that Daniel S. Keeney whose name as Senior Vice President of SouthPoint Bank, a banking 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 such conveyance, he, as such officer and with full authority, executed the same voluntarily for and as the act of the said corporation.

Given under my hand and official seal this 25th day of September, 2009.

  
\_\_\_\_\_  
Notary Public  
My commission expires: 5-21-12

[notarial seal]

  
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