

This Document Prepared By:

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Baton Rouge, LA 70816
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As a necessary incident to the fulfillment of conditions
contained in a title insurance commitment issued by it.

Return to:

Title2Land, LLC
11851 Wentling Ave., Suite A
Baton Rouge, Louisiana 70816

Source of Title: 20090603000210700

SPECIAL WARRANTY DEED

THIS INDENTURE, made this 10th of February, 2010 between **COMPASS BANK** as grantor(s) pursuant to that grant of authority on file and of record; whose address is 8333 Douglas Ave, Dallas, TX 75225 to **Joseph C. Lancaster and Linda B. Lancaster**, husband & wife, as grantee, whose address is 2009 Springhill Court, Birmingham, AL 35242-1402.

WITNESSETH: that the grantors, for in consideration of the sum of **FIVE HUNDRED FORTY THOUSAND AND 00/100 (\$540,000.00)** and other valuable considerations to said grantors in hand paid by said grantees, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the grantee and grantees heirs forever the following described land located in the County of Shelby, State of Alabama, to-wit:

LOT 3219, ACCORDING TO THE SURVEY OF HIGHLAND LAKES, 32ND SECTION, AN EDDLEMAN COMMUNITY, AS RECORDED IN MAP BOOK 35, PAGE 23, 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 EASEMENT AND MASTER PROTECTIVE COVENANTS FOR HIGHLAND LAKES, A RESIDENTIAL SUBDIVISION, RECORDED AS INSTRUMENT #1994-07111 AND AMENDED IN INST. #1996-17543 AND FURTHER AMENDED IN INST. #1999-31095 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA, AND THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR HIGHLAND LAKES, A RESIDENTIAL SUBDIVISION. 32ND SECTOR, RECORDED AS INSTRUMENT NO. 20050609000280550 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA (WHICH, TOGETHER WITH ALL AMENDMENTS THERETO, IS HEREINAFTER COLLECTIVELY REFERRED TO AS, THE "DECLARATION").

Being the same property acquired by FORECLOSURE DEED of Property from KEVIN M. HORNSBY and HEIDI R. HORNSBY to COMPASS BANK dated June 3, 2009 and recorded June 3, 2009 as INST. #20090603000210700, of the official records of Shelby County, Alabama.

Address was supplied at the request of the proposed insured for information purposes only and is not a covered matter.

By his acceptance of this Special Warranty Deed, Grantee represents, acknowledges and agrees as follows:

- A. GRANTEE IS A KNOWLEDGEABLE PURCHASER OF REAL ESTATE AND IS RELYING ON HIS OWN EXPERTISE AND THAT OF HIS CONSULTANTS IN MAKING THE INSPECTIONS OF THE REAL ESTATE AND ANY IMPROVEMENTS, FIXTURES AND/OR EQUIPMENT LOCATED THEREON;
- B. THE REAL ESTATE IS BEING SOLE AND CONVEYED BY GRANTOR AND ACCEPTED BY GRANTEE IN ITS "AS-IS," "WHERE-IS" AND "WITH-ALL-FAULTS" CONDITION;
- C. GRANTOR IS NOT MAKING AND SPECIFICALLY DISCLAIMS ANY REPRESENTATIONS OR WARRANTIES OF ANY KIND OF CHARACTER, EXPRESS OR IMPLIED, WITH RESPECT TO THE REAL ESTATE, INCLUDING, BUT NOT LIMITED TO, REPRESENTATIONS OR WARRANTIES AS TO HABITABILITY MATTERS OF TITLE (OTHER THAN GRANTOR'S WARRANTY OF TITLE SET FORTH HEREIN), ZONING, TAX CONSEQUENCES, PHYSICAL OR ENVIRONMENTAL CONDITIONS, AVAILABILITY OF ACCESS (SPECIFICALLY MAKING NO WARRANTY OF COMPLIANCE WITH THE REQUIREMENTS OF THE AMERICANS WITH DISABILITIES ACT OF 1990), INGRESS OR EGRESS, OPERATING HISTORY OR PROJECTIONS, VALUATION, GOVERNMENTAL APPROVALS, GOVERNMENTAL REGULATIONS OR ANY OTHER MATTER OR THING RELATING TO OR AFFECTING THE REAL ESTATE, INCLUDING, WITHOUT LIMITATION: (a) THE VALUE, CONDITION, MERCHANTABILITY, MARKETABILITY, PROFITABILITY, SUITABILITY OR FITNESS FOR A PARTICULAR USE OR PURPOSE OF THE REAL ESTATE, (b) THE MANNER OR QUALITY OF THE CONSTRUCTION OR MATERIALS INCORPORATED INTO THE REAL ESTATE OR ANY PART THEREOF, AND (c) THE MANNER, QUALITY, STATE OF REPAIR OR LACK OF REPAIR OF THE REAL ESTATE, AND GRANTEE HAS NOT RELIED UPON AND SHALL NOT RELY UPON, EITHER DIRECTLY OR INDIRECTLY, ANY REPRESENTATION OR WARRANTY OF GRANTOR OR ANY AGENT OF GRANTOR;
- D. GRANTEE SHALL CONDUCT THE INSPECTIONS AND SHALL RELY UPON SAME, AND, UPON CLOSING, SHALL ASSUME THE RISK THAT ADVERSE MATTERS, INCLUDING, WITHOUT LIMITATION, ADVERSE PHYSICAL AND ENVIRONMENTAL CONDITIONS, MAY NOT HAVE BEEN REVEALED BY THE INSPECTIONS; AND
- E. THERE ARE NO ORAL AGREEMENTS, REPRESENTATIONS OR WARRANTIES COLLATERAL TO OR AFFECTING THE REAL ESTATE BY GRANTOR, ANY AGENT OF GRANTOR OR ANY THIRD PARTY, AND GRANTOR IS NOT LIABLE OR BOUND IN ANY MANNER BY ANY ORAL OR WRITTEN STATEMENT, REPRESENTATIONS OR INFORMATION PERTAINING TO THE REAL ESTATE FURNISHED BY ANY REAL ESTATE BROKER, AGENT, EMPLOYEE, SERVANT OR OTHER PERSON, UNLESS THE SAME ARE SPECIFICALLY SET FORTH OR REFERRED TO HEREIN.

**Send Tax Bill To: Joseph C. Lancaster and Linda B. Lancaster, *2009 Springhill Court,*
*Birmingham, AL***



20100225000056790 2/3 \$557.00
Shelby Cnty Judge of Probate, AL
02/25/2010 01:52:53 PM FILED/CERT

SUBJECT to easements, restrictions and reservations of record, if any, and taxes for prior year and subsequent years.

SUBJECT to any and all Statutory rights of redemption in favor of mortgagors and other persons or parties granted such rights under the laws of the State of Alabama and the United States of America arising out of foreclosure sale of that certain mortgage filed for record in said Probate Office 2007070706000319240; said mortgage Foreclosure Deed dated 06/03/09 and filed for record in said Probate Office in 20090603000210700.

The Warranties passing to grantee hereunder are limited solely to those matters arising from acts of the grantor, its agents or representatives, occurring solely during the period of grantors ownership of the subject real estate.

Singular and plural are interchangeable, as context requires.

IN WITNESS WHEREOF, Grantor has hereunto set grantors hand and seal the day and year first above written.

COMPASS BANK

Deborah Laycock
BY: **Deborah Laycock**, Executive Vice President
Authorized Agent:

STATE OF Texas
COUNTY OF Dallas

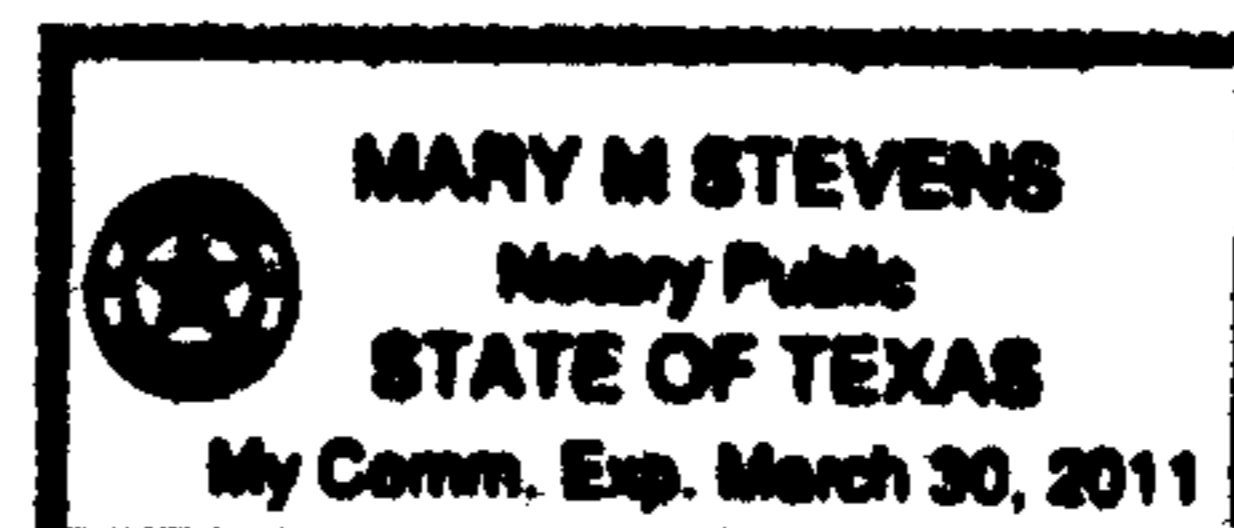
Deed Tax : \$540.00

Before me, the undersigned, A Notary Public in and for said State at Large, hereby certify that Deborah Laycock, whose name as Authorized Agent for **COMPASS BANK**, 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 conveyance, she/he, as such Authorized Agent with full authority executed the same voluntarily for and as the act of said corporation.

Given under my hand this 28th of January, 2010.

My commission expires: 03-30-2011

Mary M Stevens
Notary Public



20100225000056790 3/3 \$557.00
Shelby Cnty Judge of Probate, AL
02/25/2010 01:52:53 PM FILED/CERT