

THIS INSTRUMENT WAS PREPARED BY:

Burt W. Newsome  
NEWSOME LAW, L.L.C.  
P.O. Box 382753  
Birmingham, Alabama 35238

  
20100702000211890 1/2 \$15.50  
Shelby Cnty Judge of Probate, AL  
07/02/2010 11:32:17 AM FILED/CERT

STATE OF ALABAMA )  
SHELBY COUNTY )

)  
)  
)

**SPECIAL WARRANTY DEED**

That in consideration of TEN AND NO/100 DOLLARS (\$10.00) to the undersigned paid by Grantee herein, the receipt of which is hereby acknowledged, the undersigned ALIANT BANK, a bank organized under the laws of the State of Alabama (hereinafter called the Grantor), has granted, bargained and sold, and does by these presents grant, bargain, sell and convey unto ALIANT BANK (hereinafter referred to as Grantee), the following described real estate situated in Shelby County, Alabama, to-wit :

Lot 4, according to the Survey of Stone Briar, as recorded in Map Book 38, Page 108, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

Subject to the following right-of-way:

A part of Lot 4 according to the survey of Stone Briar as recorded in Map Book 38, Page 108 in the Shelby County Probate Office being located in the Southwest ¼ of Section 33, Township 18 South, Range 1 West, in Shelby County, Alabama, being more particularly described as follows:

Commence at the Easternmost corner of Lot 4 according to said survey of Stone Briar, said corner also being the common corner of Lot 5 according to said survey of Stone Briar and run in a Northwesterly direction along the common line of said Lots 4 and 5 for a distance of 105.60 feet to the POINT OF BEGINNING of a non-exclusive utility easement being 30 feet in width and lying 15 feet on both sides of the following described centerline; thence turn a deflection angle left of 73°38'12" (angle measured to tangent) to a curve to the right having a radius of 225.00 feet and a central angle of 20°38'01" and run in a Southwesterly direction for a distance of 81.03 feet along said arc to a point; thence turn a deflection angle right of 31°51'21" and run in a Northwesterly direction for a distance of 87.92 feet to the POINT OF ENDING of the easement herein described, said point of ending being located on the Southeast right-of-way of Stone Briar Lane.

This parcel is the same parcel that is identified as a 30' Wide Private Ingress/Egress Easement on Lot 4 according to the survey of Stone Briar as recorded in Map Book 38, Page 108 in the Shelby County Probate Office.

This deed is subject to all matters of public record which would affect title vesting hereby in the Grantee under the present laws of the State of Alabama, including Sections 6-5-248 and 6-5-253, *Code of Alabama*.

No word, words, or provisions of this instrument are intended to operate as or imply covenants of warranty except the following: Grantor does hereby specially warrant the title to said property against the lawful claims of all persons claiming by, through or under the Grantor.

This property is being sold on an AS IS, WHERE IS basis, and with all faults. This property



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is also being sold subject to any easements, encumbrances, and exceptions reflected in the records of the office of the Judge of Probate of the county in which the above described property is located. This property is being sold without warrant of recourse, expressed or implied as to title, use and/or enjoyment and is being sold subject to the right of redemption of all parties entitled thereto.

**TO HAVE AND TO HOLD** the above described property, together with all rights and privileges incident or appurtenant thereto, unto ALIANT BANK, its successors and assigns forever, it being the intention of the parties to this conveyance that on the event of Grantee's dissolution, the entire interest in fee simple shall pass to the successors and assigns of the Grantee. This conveyance is made under the express authority of *Code of Alabama, 1975, Section 35-4-7*, as amended.

**IN WITNESS WHEREOF**, ALIANT BANK, a bank organized under the laws of the State of Alabama, has caused this conveyance to be executed in its name by its undersigned officer, and its seal affixed this the 1st day of July, 2010.

ALIANT BANK

By: *Daniel McArthur*

Its: Vice President of Special Assets

STATE OF ALABAMA                    )  
  )  
SHELBY COUNTY    )

I, the undersigned authority, a Notary Public in and for said County and State, hereby certify that Daniel McArthur as Vice President of Special Assets of Aliant Bank whose name is signed to the foregoing special warranty deed, and who is known to me, acknowledged before me on this day, that being informed of the contents of the conveyance, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this 1st day of July, 2010.

*Edward D. Leonard*  
Notary Public

My commission expires: 3-13-12