

20110307000075870 1/3 \$72.00
Shelby Cnty Judge of Probate, AL
03/07/2011 01:40:36 PM 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:
Jeffrey K. Maynard
Marleen M. Maynard
4116 Kesteven Drive
Birmingham AL 35242

SPECIAL WARRANTY DEED

STATE OF ALABAMA
SHELBY COUNTY

KNOW ALL MEN BY THESE PRESENTS,

That in consideration of Two hundred sixty-nine thousand and 00/100 Dollars (\$269,000.00) to the undersigned, Deutsche Bank Trust Company Americas as Trustee for RALI 2005QA9, a corporation, (herein referred to as Grantor) in hand paid by the Grantees herein, the receipt whereof is acknowledged, the said Grantor does by these presents, grant, bargain, sell and convey unto Jeffrey K. Maynard, and Marleen M. Maynard, (herein referred to as Grantees), the following described real estate situated in Shelby County, Alabama, to-wit:

Lot 212, according to the Survey of Brook Highland, 6th Sector, 4th Phase, as recorded in Map Book 15, Page 106, in the Probate Office of Shelby County, Alabama.

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 Grantees herein assume and agree to pay.
3. Easements, restrictions and setback lines as shown on recorded plat.
4. Building setback lines as shown by plats referred to in Exhibit A.
5. Public utility easements as shown by recorded plats referred to in Exhibit A.
6. Declaration of Protective Covenants for the "Watershed Property," which provides, among other things, for an Association to be formed to assess and maintain the Watershed Maintenance Areas, etc. of the development; all of said covenants, restrictions and conditions being set out in instrument recorded in Real 194, Page 54 in Probate Office of Shelby County, Alabama (the "Probate Office").
7. Declaration of Protective Covenants, Agreements, Easements, Charges and Liens for Brook Highland, as set out in instrument recorded in Real 194, Page 254 in Probate Office, along with Articles of Incorporation as recorded in Real 194, Page 281 and By-Laws recorded in Real 194, Page 287-A in Probate Office. Along with Supplemental Covenants as recorded in Real 228, Page 882; Real 228, Page 886; Real 353, Page 969; Real 255, Page 131; Real 263, Page 604; Map Book 12, Page 62 A & B, Map Book 12, Page 63; Map Book 12, Page 64 A & B; Map Book 13, Page 12 A & B; Map Book 13, Page 36 A & B; Map Book 15, Page 50 A & B; and Map Book 13, Page 99 A & B in said Probate Office.



Shelby County, AL 03/07/2011
State of Alabama
Deed Tax: \$54.00



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8. A non-exclusive easement and agreement between Eddleman and Associates and the Water Works and Sewer Board of the City of Birmingham dated July 11, 1988, and recorded in Real 194, Page 20 and Real 194, Page 43 in Probate Office and as shown by plats referred to in Exhibit A.
9. Easement and Agreements between AmSouth Bank, N.A., as Ancillary Trustee for NCNB National Bank of North Carolina, as Trustee for the Public Employees Retirement system of Ohio and The Water Works and Sewer Board of the City of Birmingham, as set out in instrument recorded in Real 194, Page 1 and Real 194, Page 40 in Probate Office.
10. Drainage Agreement between AmSouth Bank, N.A., as Ancillary Trustee for NCNB National Bank of North Carolina, as Trustee of the Public Employees Retirement system of Ohio and Eddleman and Associates as set in Real 125, Page 238 dated April 14, 1987 in Probate Office.
11. Reciprocal Easement Agreement between AmSouth Bank, N.A., as Ancillary Trustee for NCNB National Bank of North Carolina as Trustee for the Public Employees Retirement System of Ohio and Eddleman and Associates, as set out in instrument dated April 14, 1987 and recorded in Real 125, Page 249 and Real 199, Page 18 in Probate Office and as shown by plats referred to in Exhibit A.
12. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto, including rights set out in Deed Book 32, Page 48 and Deed Book 127, Page 140 in Probate Office.
13. Restrictive covenants with regard to underground transmission installation by Alabama Power Company as recorded in Real 181, Page 995 in the Probate Office.
14. Covenants releasing predecessors in title from any liability arising from sinkholes, limestone formations, soil conditions or any other known or unknown surface or subsurface conditions that may now or hereafter exist or occur or cause damage to subject property, as shown by survey of said subdivision, recorded in Map Book 12, Page 62 A & B; Map Book 12, Page 63; Map Book 12, Page 64 A & B; Map Book 13, Page 12 A & B; Map Book 13, Page 36 A & B; Map Book 15, Page 50 A & B and Map Book 13, Page 99 A & B, in Probate Office.
15. Subdivision restrictions shown on recorded plat in Map Book 12, Page 62 A & B; Map Book 12, Page 63; Map Book 12, Page 64 A & B; Map Book 13, Page 12 A & B; Map Book 13, Page 36 A & B; Map Book 15, Page 50 A & B and Map Book 13, Page 99 A & B in said Probate Office, for construction of single family residences only.
16. Easement (s) to Birmingham Water Works and Sewer Board as shown by instrument recorded in Real 252, Page 210 in Probate Office and as shown by plats referred to in Exhibit A.
17. Agreement with Alabama Power Company as to underground cables recorded in Real 298, Page 936 in Probate Office and as shown by plats referred to in Exhibit A.
18. Covenants with Alabama Power Company as to underground cables recorded in Real 364, Page 399 in Probate Office.
19. 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. 20101124000395650, in the Probate Office of Shelby County, Alabama.

\$ 215,200.00 of the above consideration was paid from the proceeds of a mortgage loan closed simultaneously herewith.



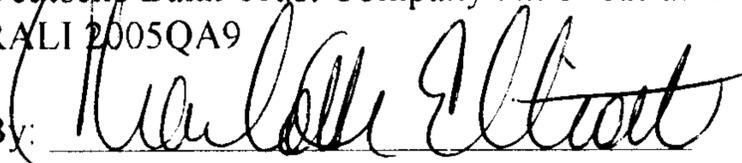
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This property is sold as is and grantor only warrants title from the time grantor obtained title until the date grantor conveys its interest in the aforesaid property to the grantee.

TO HAVE AND TO HOLD Unto the said Grantees, their heirs and assigns, forever.

IN WITNESS WHEREOF, the said Grantor, has hereto set its signature and seal, this the 25 day of January, 2011.

Deutsche Bank Trust Company Americas as Trustee for
RALI 2005QA9

By: 

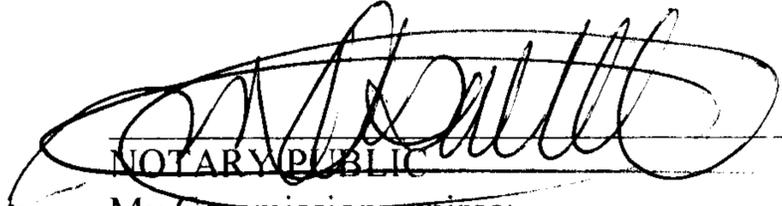
Its Charlotte Elliott

STATE OF TEXAS

COUNTY OF DALLAS

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that **Charlotte Elliott**, whose name as PARSON of Deutsche Bank Trust Company Americas as Trustee for RALI 2005QA9, 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.

Given under my hand and official seal, this the 25 day of January, 2011.


NOTARY PUBLIC

My Commission expires:
AFFIX SEAL

2010-005710

